

TURKISH PUBLIC ADMINISTRATION

From Tradition to the Modern Age

NAİM KAPUCU & HAMİT PALABIYIK



INTERNATIONAL STRATEGIC RESEARCH ORGANIZATION

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TURKISH PUBLIC ADMINISTRATION

From Tradition to the Modern Age

Naim KAPUCU & Hamit PALABIYIK

**Ankara
2008**

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USAk Publications : 17
Editor for Publications in English : Hasan Selim Özertem

Turkish Public Administration - From Tradition to the Modern Age

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Publication of International Strategic Research Organization (ISRO)

Uluslararası Stratejik Araştırmalar Kurumu (USAk Yayımları)

Suslu Sok. No: 2, Mebusevleri, Tandoğan, Ankara, Turkey.

Phone: 0090 312 212 28 86

Fax: 0090 312 212 25 84

Web: www.isro.org.tr,

www.usak.org.tr,

www.turkishweekly.net,

www.usakpedia.org,

E-mail: info@usak.org.tr



USAk is an Ankara based NGO. USAk makes researches and publications on social sciences.

First published in 14 August 2008.

Cover Design : Sadullah Hatam

Design : Karınca Yayıncılık - 0 312 431 54 83

Publication : Birikim Matbaası - 0 312 430 30 17

ISBN : 987-605-4030-01-9

Library Cataloging in Publication data

**Turkish Public Administration - From Tradition to the Modern Age / KAPUCU, Naim;
PALABIYIK, Hamit.**

p.cm

Includes bibliographical references and index.

1. Public Administration, 2. Turkey, 3. Constitution, 4. Government, 5. Ottoman Empire

To our parents:
Zehure & Dursun Kapucu
ZülfİYE & Cevat Palabıyık

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His work has been published in *Public Administration Review (PAR)*, *Administration & Society*, *Journal of Public Administration Theory and research (J-PART)*, the *American Review of Public Administration (ARPA)*, *Public Administration, International Journal of Mass Emergencies and Disasters*, and *Disasters: The Journal of Disaster Studies, Policy, and Management*. Recent publications include, "Public-Nonprofit Partnerships for Collective Action in Dynamic Contexts," "Managing Public Nonprofit Partnerships in Emergencies: Role of Nonprofit Leadership." He is a reviewer for the program committee of the Public and Nonprofit (PNP) Division of the Academy of Management. He is also *Executive Council Member*, American Society for Public Administration (ASPA), Section on Emergency and Crisis Management. He is currently leading the UCF-Orange County Health Department Partnership Project. The project is hailed as a best- practice model and has significantly increased service capacity for the grassroots agencies participating in the project. He is a recipient of *Director's Award*, Orange County Health Department, for the excellent service provided to enhance services to all populations in Orange County.

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He was awarded a full scholarship from the Higher Education Council of Turkey (YÖK) for Masters and Doctorate degrees abroad, January 1994 - September 1996, for the sake of Çanakkale Onsekiz Mart University, Department of Public Administration, concentration in Urban and Environmental Studies. He received a grant from Scientific and Technological Research Council of Turkey (TÜBİTAK - BİDEB), Postdoctorate Research Abroad Program; He conducted his research on "Voluntary Participation to Local Public Services in Municipalities" at the Department of Public Administration, the University of Central Florida, Orlando, Florida. He is currently leading the TÜBİTAK founded research project on "Can a Nuclear Power Plant Be Constructed in Turkey? From Conflict to Agreement: Social Acceptance Problem of Nuclear Energy Projects in Turkey and Survey on Public Refusal Syndrome."

His research and articles have been mainly published in *Public Administration Annual*, *Amme İdaresi Dergisi*, *Çağdaş Yerel Yönetimler*, and *Türk İdare Dergisi*. He also presented at International Solid Waste Association (ISWA), Mediterranean International Conference on the Mediterranean Coastal Environment (MEDCOAST), Turkey and Middle East Public Administration Institute (TODAIE) Conferences, and Silesian University and Çanakkale Onsekiz Mart University Joint International Symposiums.

He teaches public administration, local governments, environmental management and policy, intergovernmental relations, participatory democracy and governance, international organizations, and environmental management.

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FOREWORD

Since the 1980s public administration has been experiencing fundamental changes globally both in theory and practice. The "New Public Management" (NPM) movement provides a theoretical framework for this change process. NPM has not only affected countries all around the globe, but has also fostered the creation of international common values, understanding, and policies in public administration. This situation generated a need for analysis comparing public administration practices and cases between countries and created opportunities for scholars all around the world. In this regard, many researchers in the field of public management have felt the necessity to use a comparative approach in their studies.

Since 2003 the Turkish public administration system has faced significant legal changes whose purpose was reforming administrative structure, functions, and policies. Goals of these legal changes have been promoting the NPM principles such as transparency, decentralization, improvement of administrative capacity, strategic management, accountability, governance, efficient and effective utilization of resources, and performance management. The need for these changes was mainly caused by the incompetency of Turkish public administration system and the requirements of the European Union integration processes, and the increasing global reform and administrative restructuring tendencies. As cases demonstrated in other countries, professionals in Turkey have had cognitive difficulties in catching up this transformation process. Globalization as well as reform movements in public administration made it a necessity to rewrite the Turkish public administration system and introduce it to scholars and researchers in the world.

Prepared with great effort and zeal by two leading scholars of the field - Drs. Naim Kapucu and Hamit Palabıyık, this book aims to contribute to the study and research of Public Administration in Turkey. In this work, foreign and local scholars studying Turkish public administration will find invaluable comprehensive and cohesive information about basic elements of Turkish public administration and several reform efforts of the Turkish public administration system. It is an undeniable fact that this book will contribute to the literature on comparative public administration and development studies. Scholars of comparative public administration and policy, and professionals in the field, will benefit substantially from this book. Scholarly discussions about public administration reforms in Turkey have already expedited the development of this literature in Turkish. There have been many scholarly articles and books published in the field. These publications speeded up the evolutionary development of Turkish public administration from a static perspective to a theoretical and practical dynamic, and a rich discipline.

I congratulate the two scholars, Drs. Naim Kapucu and Hamit Palabıyık, for their work that will meet an important need for a comprehensive study introducing Turkish public administration to the world. I strongly believe that the book will contribute considerably to comparative public administration studies.

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INTRODUCTION

Turkey is in the process of integration not only with Europe but also with the entire world. In this process, it is now necessary to present Turkey in an academic setting, as in other fields, consistent with its national characteristics. In particular explaining actual themes in public administration literature, tuning into the contemporary discourse and practice in the field and serving the role of guide for foreigners from various backgrounds who, like students and academics, would like to know more about our country and the public administration system, this book is the result of the authors' endeavors and accumulation of knowledge to meet this need.

Whichever perspective one may take, there is an urgent need to present Turkey and its public administration system in foreign languages to a wide spectrum of readers. In addition to a need felt in academic departments and programs of some universities to conduct studies, there is also the need for a source of reference both for foreigners and our citizens respectively, to understand and explain the Turkish public administration system in the era of communications. Taking customs of our country and traditions of our public administration system into account, the studies directed to meet this necessity can only be named as "an effort to fill in the gap." This book emerged as a product of works undertaken to present Turkey and its public administration system. It is expected that every part of this work will contribute to the related field of study. And it is hoped that the book will contribute to public administration literature and textbook materials.

The scope of this study is comprised of basic properties of the Turkish public administration system as well as recent legal regulations undertaken in this field. The main goal of the work is to present the Turkish public administration system to a wide range of readers both at home and abroad. Therefore, based on introducing the main features of Turkish public administration system to both students and practitioners, this work is prepared as a handbook to present the necessary knowledge in a pedagogic format written in simple and plain language. We consciously tried to include theoretical approaches in general public administration and Turkish public administration literature and contemporary academic debates. In short, we attempted to answer the question: "How is public administration carried out in Turkey?" by presenting extensively the "extant" properties of the system in policy and practical terms.

We consulted a range of sources in completing this book. First of all, we reviewed several current public administration textbooks in Turkish. These textbooks provided the perspective and materials for the book. We also reviewed new policies and laws (and, of course, changes introduced recently) to present the foundations of the public administration system to readers. We asked several of our colleagues in Turkey to provide us with their course materials and other references as potential sources for the book. We interviewed senior public administrators as needed, especially on the recent public administration reforms in Turkey.

Excluding appendices, the book is composed of seven parts. Each part has two chapters. The first part introduces social, economic and administrative characteristics of Turkey with reference to various sources; the topic of European Union (EU) membership and its impact on the future of Turkey is discussed. The second part elaborates on our administrative history and system, and in particular the Ottoman administrative system is discussed. The third part investigates the political system and public administration structure of Turkey. We have studied Turkish constitutional order, constitutional principles, legislative, executive and judiciary powers; the administrative structure, basic principles and characteristics of the public administration system, presidency, prime ministry, cabinet of ministers and other institutions and organs.

The fourth part elaborates on local government in Turkey. Special provincial administrations, municipalities, metropolitan municipalities and villages are introduced with reference to legal documents; settlements, local government units, local government participation and audit issues in local government, are discussed in light of recent legislation. Moreover, this part discusses, from services perspective, local government establishments and other public vocational institutions. The fifth part focuses on reforms in the Turkish administrative structure from both global and national perspectives.

The writings of Prof. Dr. Musa Eken were utilized in the sixth part, which discusses public personnel administration both from historical and contemporary perspectives. In the seventh part, recent regulations in Turkish public finance are discussed. In the appendices there is further information deemed useful for the reader: a political map of Turkey, the outlook of Turkish public administration, the text of the Turkish Constitution, the governments of the Turkish Republic from its establishment until today, a contemporary chronology of EU relations, up-to-date information on EU membership negotiations and the education of public administration in Turkey.

Should there appear to be any errors or shortcomings in our work, we expect your tolerance. And we would like to let you know that every comment and criticism received from you will be sincerely considered to improve the future editions of this book.

Several people assisted in the preparation of the book. We especially convey our gratitude to Farhod Yuldashev, Vener Garayev, and Tolga Arslan – Research Analysts at the Department of Public Administration at the University of Central Florida, for their assistance in the realization of this project. In addition, we owe sincere gratitude to our families for their altruism shown during our work and their moral support by being always with us.

We thank anonymous reviewers for their important contributions in improving the quality of this book.

We hope this book will prove useful for all.

March 2008, Orlando, Florida

Assoc. Prof. Naim KAPUCU

Assoc. Prof. Hamit PALABIYIK

PART I

TURKEY AND TURKISH PUBLIC ADMINISTRATION IN A GLOBAL CONTEXT

Turkey has several identities based on its diverse history and strategic location. 'An axis country in Eurasia,' 'a country at international crossroads,' 'an anchor of stability,' 'the land of many crossroads' are some of the aphorisms that many intellectuals utilize to introduce their statements about Turkey.

Turkey as a country with its historical, geographical, socio-demographic, economic, and political perspectives deserves the vision that leads to greater prosperity and sustainability. These vital accomplishments require the country's potential to be fully utilized by public administrators with appropriate policies. In this respect, a more stable and democratic administrative structure, competitive open market economy, steady improvements in living standards, greater efforts for better income, education, health, and the environment require substantial changes in the current administrative sphere of the country. An effective, efficient, and inclusive national state government with its local agencies, productive private sector, and an active and eligible civil society are key actors participating in this challenging transforming environment. Carefully prioritizing certain policy actions and placing the sources in appropriate frames by qualified and responsible administrators will, we hope, guide Turkey to a more prosperous and sustainable development.

In this part of the book, firstly the country will be briefly introduced with its geographical, social, economic, governmental, and political aspects. In addition to that, a brief summary of Turkish history and major political developments are identified. Secondly the Turkish public administration, mainly in a global context, will be described with the emphasis on European Union membership and the integration process.

CHAPTER 1

THE COUNTRY AND THE PEOPLE

Turkey is a country with significant potential when historical, cultural, and religious characteristics are taken into account alongside geographical location, societal, economic development, government, and political factors.

Geography

The Republic of Turkey is a Eurasian country with its Eastern and Western traits. Turkey is a Balkan and Asian country that extends its territories over two continents.

The lands of the country are located at a point where Asia, Africa and Europe are closest to each other, and straddle the point Europe and Asia meet. Turkey is a Black Sea and a Mediterranean country because of closeness to the mentioned regions. Turkey is also a Middle Eastern country which is a strategically, economically, politically, culturally, and religiously sensitive region (Birim-Harding & Gevacleu 1999).

Turkey is a peninsula in western Asia situated between the Black Sea to the north and the Mediterranean Sea to the south. There is no doubt that not only the country's geographical location, but also its strong and deep historical, social and religious ties with those regions make Turkey a gateway to the modern world (See Map 1).



MAP 1: TURKEY

* Source: <http://www.graphicmaps.com>, November 28,2007

Geographically, the country is located in the northern half of the hemisphere at a point that is about halfway between the equator and the North Pole, at a longitude of 36 degrees N to 42 degrees N and latitude of 26 degrees E to 45 degrees E. The length of the land borders of the country is 2,875 km. and the length of the coastline is 8,333 km. Turkey has a width of approximately 550 km. and a length of approximately 1,500 km. The actual area of Turkey inclusive of its lakes is 814,578 square kilometers, of which 790,200 are in Asia, 97%, referred to as Anatolia and 24,378 are located in Europe, 3% referred to as Thrace. Turkey's land area is about the same as that of France and the United Kingdom combined. Turkey has two European and six Asian neighbor countries along its land borders: Greece and Bulgaria together with Georgia, Armenia, Azerbaijan, Iran, Iraq, and Syria respectively. The Republic of Turkey has more extensive lands than its neighbors with the exception of Iran (Embassy of the Republic of Turkey 2007a).

The seas which surround the country on three sides are the Black Sea, the Aegean and the Mediterranean. The Marmara Sea and the Straits are very important maritime passages which provide access to the Black Sea and to the

world. The Marmara Sea, which is located completely within national boundaries, opens onto the Black Sea via the Bosphorus (Istanbul Strait) and to the Aegean and the Mediterranean via the Dardanelles (Çanakkale Strait). Thrace and Anatolia are separated by the Marmara Sea and the strategic Dardanelles and Bosphorus straits. Turkey has many rivers and lakes. 11% of the country's area consists of lakes and swamps. Lake Van, located in Eastern Anatolia, is the largest of the natural lakes in the country.

Turkey's topography is varied, having high elevations and lofty mountains. There are high mountain ranges in the north and south. The 5,137 m. high Ağrı Mountain, Mount Ararat, is Turkey's highest mountain. There are also many plains, plateaus and depressions. The large plains in the central part of Anatolia separate the mountain ranges to the north and to the south of the country. Turkey is located along a moderate climate belt and enjoys four seasons (Turkish News Agency 2007).

Large areas of Turkey are at risk of earthequake due to active fault lines. The severe 1999 earthquakes in İzmit, Sakarya and near İstanbul in the north-west of the country in August and November, killed 17 thousand people and caused direct economic damage worth an estimated US \$5 billion, or 2.5% of GNP (Corbacioglu & Kapucu 2005). There is a scientific contention that potential damage will occur in İstanbul from faults centred under the Sea of Marmara within the next thirty years (The Economist 2007).

Turkey is divided into seven geographical regions: the Black Sea region, the Marmara region, the Aegean, the Mediterranean, Central Anatolia, the East and Southeast Anatolia regions.

Society

Turkey has the third largest population in Europe, after Russia and Germany. According to the Turkish Statistics Institute (TURKSTAT) Address-Based Population Recording System Census, Turkey's population was 70,586,256 as of the end of 2007 (TUIK 2008). The population was 67,803,927 in 2000 and had increased by 4.10 percent by the end of 2007. The population density, the number of people per square kilometer, is 92 for the country while it ranges between 11 and 2,420 among provinces. According to the 2007 figures, 70.5% of the population lives in cities while the remaining 29.5% lives in towns and villages (See Table 1-2).

TABLE 1: DEMOGRAPHIC RATES

Years*	Population Growth (%)	Urbanization Rate (%)
1965-1970	2.52	5.3
1970-1975	2.50	5.4
1975-1980	2.06	3.9
1980-1985	2.49	7.7
1985-1990	2.17	4.5
2000	1.41	2.9
2000	1.38	2.7
2007*	4.10	-

(*) TUIK (2008). T.C. Başbakanlık Türkiye İstatistik Kurumu. *Haber Bülteni*. Sayı 9. January 21st.

Source: Turkish Statistical Institute (TURKSTAT), Censuses; State Planning Organization (SPO) (n.d). <http://ekutup.dpt.gov.tr/ekonomi/gosterge/tr/1950-06/esg.htm>, October 01, 2007.

TABLE 2: URBAN AND RURAL POPULATION

Years*	Total Population (In thousands)	Urban Population (In thousands)**	Proportion of Urban Population (%)	Rural Population (In thousands)	Proportion of Rural Population (%)	Periods	Urbanization Rate (%)
1970	35,605	10,222	28.7	25,384	71.3	1965-1970	5.3
1975	40,348	13,272	32.9	27,076	67.1	1970-1975	5.4
1980	44,737	16,065	35.9	28,672	64.1	1975-1980	3.9
1985	50,664	23,238	45.9	27,426	54.1	1980-1985	7.7
1990	56,473	28,958	51.3	27,515	48.7	1985-1990	4.5
2000	67,420	38,661	57.3	28,759	42.7	2000	2.9
2007***	70,586	49,747	70.5	20,838	29.5	2000-2007	-

Source: TURKSTAT Censuses; State Planning Organization (SPO) (n.d).

<http://ekutup.dpt.gov.tr/ekonomi/gosterge/tr/1950-06/esg.htm>, October 01, 2007.

*Years 1970-2000 are census date results.

**Urban refers to areas with population of 20,000 or more.

***Urban refers the population within provincial and district borders. Rural also refers the population within Bucak and village borders. TUIK (2008). T.C. Başbakanlık Türkiye İstatistik Kurumu. *Haber Bülteni*. Sayı 9. January 21st.

Turkey's population is young; the average age is 28.3, half of the country's population falls below this average. According to the census of 2007, there are 35,376,533 men and 35,209,723 women in Turkey. The average age of the population is 27.7 for men and 28.8 for women while it is 28.4 among the urban population and 27.9 among the rural population. The 15-64 age group, those of employable age, account for 66.5% of the country's population. The 0-14 age group corresponds to 26.4% of the population while the 65 and above age group makes up 7.1% (TUIK 2008).

In 2006 some 28% of the population was 14 years of age or younger and 6% was 65 or older (Table 3). Ratio of population by marital status and sex (Table 4), population 15 years of age and over, in the year 2000, 65.6% married; 28.4% never married; 4.8% widowed; 1.2% divorced. The estimated birth rate for 2007, which has declined significantly in recent decades, is 16.4 births per thousand people. The estimated death rate is also 6 deaths per thousand people in 2007. The fertility rate is 1.8 children per woman. The estimated infant mortality rate for 2007 is 38.3 deaths per thousand live births, and life expectancy, which has increased rapidly since 1960, was 72.4 years for males and 74.9 years for females in 2005 (East West Institute 2007).

TABLE 3: TOTAL POPULATION and DISTRIBUTION of POPULATION by AGE GROUPS

Years*	Total Population (In Thousands)	Distribution of Population by Age Groups (Percent)		
		0-14	15-64	65+
1950	20,947	38.3	58.3	3.3
1955	24,064	39.2	57.2	3.4
1960	27,754	41.2	55.1	3.5
1965	31,391	41.9	54.0	4.0
1970	35,605	41.8	53.7	4.5
1975	40,347	40.5	54.7	4.6
1980	44,736	39.0	55.9	4.7
1985	50,664	37.5	58.1	4.2
1990	56,473	34.5	60.7	4.3
2000	67,420	30.0	64.7	5.4
2007	70,586	26.4	66.4	5.8

Source: TURSTAT, SPO (n.d). <http://ekutup.dpt.gov.tr/ekonomi/gosterge/tr/1950-06/esg.htm>, October 01, 2007.

*1950-1990 Census Date numbers. Estimates for mid-year population for 2000. 2007 figures are from TUIK 2008.

TABLE 4: GENDER RATES

Years	Male (%)	Female (%)
1935	49.12	50.88
1940	49.94	50.06
1945	50.27	49.73
1950	50.26	49.74
1955	50.84	49.16
1960	51.03	48.97
1965	50.96	49.04
1970	50.57	49.43
1975	51.41	48.59
1980	50.73	49.27
1985	50.67	49.33
1990	50.66	49.34
2000	50.66	49.34
2007*	50.11	49.89

Source: TURSTAT (2007), 1923-2006 Statistical Indicators.

*TUIK 2008.

There has been a high level of migration from rural areas to major cities and to other regional centers. The 2000 census figures indicate that urbanization has increased, with the urban population, provincial and district centers, accounting for about 65% of the total, compared to 60% in 1990, and 27% in 1960. The process of internal migration and urbanization is likely to continue in coming years.

According to provincial proportions of total population in 2007, İstanbul ranks first with 17.8 percent of the total, followed by Ankara with 6.3, İzmir with 5.3, Bursa with 3.5 and Adana with 2.8 percent. The five provinces with the lowest populations are Bayburt, Tunceli, Ardahan, Kilis and Gümüşhane. Bayburt is home to 76,609 people. The capital of the country, Ankara, hosts 4,466,756 people. Ankara province is the most urbanized of all provinces with 92.7 percent of its population living in cities, while Ardahan province has the lowest urbanization rate at 31.8 percent.

The population density is 92 for the country while it ranges between 11 and 2,420 among provinces. İstanbul's population density of 2,420 people per square kilometer is followed by Kocaeli with 398 people, İzmir with 311, Hatay with 238, and Bursa with 234. With 11 people per square kilometer, Tunceli has the lowest population density in the country. The population density is 50 people per square kilometer for Konya, which has the largest surface area of all provinces in Turkey, and 215 for Yalova, which has the smallest.

Moreover, foreign nationals living in Turkey account for 14 per 1,000 of the country's population. İstanbul is their city of choice (42,228), followed by Bursa (11,495), Ankara (7,166), İzmir (6,707) and Antalya (6,343) (TUIK 2008).

Approximately 80% of the population is Turkish, and an estimated 17% is Kurdish (Library of Congress Federal Research Division 2006). The population is predominantly Muslim, 99.8% mostly Sunni and 0.2% Christians and Jews. Turkish is the official language of Turkey. It has been written using the Latin alphabet since 1928.

An overall estimated literacy rate for the year 2007 is 87.4%; males, 95.3% and females 79.6%. Eight years of primary education are mandatory between the ages of 6 and 14 since 1997. The enrollment of male students of those ages is nearly 100%. Female enrollment is substantially lower in some rural areas. In 2005, the number of students per school was 305 for primary schools; 609 for high schools; 294 for vocational and technical schools; and 1,794 for higher educational institutions. Below university level, about 95% of students attend public schools. In 2004, there were 19.4 million students from primary school to higher education level in Turkey. Almost half of those school enrolled students were in primary level. Those students have been educated by nearly 711 thousand teachers in 54 thousand schools. All levels of education, from the preschool level to the university, are available in both public and private sectors. However, public sector provision of education accounts for 95%. Constitutionally, education is free with the exception of donations and partial university fees. Entry to

university for high school graduates is by national examination. According to the Ministry of Education, only 9% of 720,623 high school graduates were enrolled in undergraduate university programs while 13.3% were enrolled in diploma programs for vocational training. This ratio may rise to 30% when Open Universities are included. The government spending figure on education from the national consolidated budget is 10.2%, and 3.4% of GNP was allocated for education in 2007 (Ministry of Education 2007). Courses are normally four years, and many of the most prestigious universities and high schools, both public and private, generally use English as a foreign language in their education

TABLE 5: LABOR FORCE FIGURES (Percentages)

	2006	2013	2007–2013 averages
Labor force participation rate	48.6	50.7	49.8
Female	25.4	29.6	27.8
Male	72.2	72.2	72.2
Employment increase rate	2.3	3.3	2.7
Agriculture	-2.9	-2.9	-2.9
Non-agriculture	4.4	4.9	4.5
Industry	3.6	2.0	2.5
Services	4.7	5.9	5.2

Employment by Sectors

Agriculture	28.0	18.9	22.7
Non-agriculture	72.0	81.1	77.3
Industry	19.7	19.4	19.8
Services	52.4	61.7	57.5
Employment rate	43.6	46.8	45.1
Unemployment rate	10.4	7.7	9.6

Source: Turkish Republic Prime Ministry, State Planning Organization, 9th Development Plan 2007-2013.

The total labor force figure was 24.8 million in 2006, and some 1.2 million Turks work abroad. By sector, agriculture accounted for 28% and non-agriculture 72% (see Table 5). The unemployment rate was 10.4% for the year 2006. Women make up just less than one-half of the population; however, they account for just one-quarter of the work force. Approximately 50% of working women are employed in agriculture. Work for wages and salaries accounts for about half of

all employment, with around one-quarter of these jobs provided by the public sector. About 30% of the working population are employers or are self-employed in industry and services. The remaining are unpaid family workers on farms and in other family-run enterprises (The Economist 2007).

Health care is mainly dominated by the central government, the Ministry of Health, in Turkey. According to the World Health Organization Report (2006), total expenditure on health was 7.7% of gross domestic product in 2004 while the general expenditure on health was 13.9% of total government expenditure. The per capita total expenditure on health at an average rate was \$257 in 2003. In 2002 there was one doctor for every 721 people, one dentist for every 4,010 people, and one nurse for every 868 people, and 26.1 beds for every 10 thousand people.

The national government has also introduced and carried out a health reform program aimed at increasing health care services and rationalizing bureaucracy related issues to a larger proportion of the population. Around 80-90% of the population has now been included to healthcare services via social security organizations. The introduction of compulsory health insurance for the entire population is the main item of the new health agenda in Turkey. Private health insurance, clinics and hospitals are also highly encouraged for private health services in Turkey. Some core health indicators for Turkey are summarized from WHO sources in the following Table 6.

TABLE 6: CORE HEALTH INDICATORS for TURKEY

Indicator	Value (Years)
Life expectancy at birth (years) males	69.0 (2005)
Life expectancy at birth (years) females	74.0 (2005)
Infant mortality rate (per 1 000 live births)	26.0 (2005)
Deaths among children under five years of age due to measles (%)	0.3 (2000)
Births attended by skilled health personnel (%)	83.0 (2003)
Population with sustainable access to improved drinking water sources (%) urban	98 (2004)
Population with sustainable access to improved drinking water sources (%) rural	93 (2004)
Population with sustainable access to improved sanitation (%) urban	96 (2004)
Population with sustainable access to improved sanitation (%) rural	72 (2004)
Prevalence of current tobacco use in adolescents (13-15 years of age) (%)	8.4 (2003)
Prevalence of current tobacco smoking among adults (15 years and older) (%) males	50.7 (2003)
Prevalence of current tobacco smoking among adults (15 years and older) (%) females	18.6 (2003)
Per capita recorded alcohol consumption (liters of pure alcohol) among adults (>=15 years)	1.4 (2003)
Physicians (density per 1 000 population)	1.35 (2003)
Nurses (density per 1 000 population)	1.70 (2003)
Dentists (density per 1 000 population)	0.24 (2003)
Pharmacists (density per 1 000 population)	0.32 (2003)
Total expenditure on health as percentage of gross domestic product	7.7 (2004)
Private expenditure on health as percentage of total expenditure on health	27.7 (2004)
General government expenditure on health as percentage of total government expenditure	14.3 (2004)
Hospital beds (per 10 000 population)	26.0 (2005)

Source: WHO Statistical Information System (WHOSIS), World Health Statistics 2007, Core Health Indicators, http://www.who.int/whosis/database/core/core_select.cfm, November 28, 2007.

According to the 2007-2008 Human Development Report (UNDP 2007), Turkey is ranked 84 among 177 countries on the Human Development Index (HDI) score 0.775 based on 2005 data. Table 7 shows the values for these variables for Turkey and compares them to some other countries.

TABLE 7: TURKEY'S HUMAN DEVELOPMENT INDEX, 2005				
HDI value	Life expectancy at birth (years)	Adult literacy rate (% ages 15 and older)	Combined primary, secondary and tertiary gross enrolment ratio (%)	GDP per capita (PPP US\$)
1. Iceland (0.968)	1. Japan (82.3)	1. Georgia (100.0)	1. Australia (113.0)	1. Luxembourg (60,228)
83. Armenia (0.775)	84. Lebanon (71.5)	68. Malta (87.9)	107. Saint Vincent and the Grenadines (68.9)	65. Thailand (8,677)
84. Turkey (0.775)	85. Turkey (71.4)	69. Turkey (87.4)	108. Turkey (68.7)	66. Turkey (8,407)
85. Suriname (0.774)	86. El Salvador (71.3)	70. Dominican Republic (87.0)	109. Albania (68.6)	67. Brazil (8,402)
177. Sierra Leone (0.336)	177. Zambia (40.5)	139. Burkina Faso (23.6)	172. Niger (22.7)	174. Malawi (667)

Source: Human Development Report 2007-2008, Turkey,
http://hdrstats.undp.org/countries/country_fact_sheets/cty_fs_TUR.html, December 01, 2007.

The HDI measures the average progress of Turkey in human development. Turkey ranks 22nd among 108 developing countries with a Human Poverty Index value of 9.2 (Table 8). As for Turkey's ratio of the gender-related development index (GDI) to HDI, which measures achievements in the same dimensions using the same indicators as HDI but captures inequalities in achievement between women and men, out of 156 countries with both HDI and GDI values, 111 countries have a better ratio than Turkey's. The gender empowerment measure (GEM) also reveals whether women take an active part in economic and political life. Turkey ranks 90th among 93 countries in the GEM with a value of 0.298 (UNDP 2007).

TABLE 8: SELECTED INDICATORS OF HUMAN POVERTY FOR TURKEY

Human Poverty Index (HPI-1) 2004	Probability of not surviving past age 40 (%) 2004	Adult illiteracy rate (%ages 15 and older) 2004	People without access to an improved water source (%) 2004	Children underweight for age (% ages 0-5) 2004
1. Chad (56.9)	1. Zimbabwe (57.4)	1. Burkina Faso (76.4)	1. Ethiopia (78)	1. Nepal (48)
86. Brazil (9.7)	101. Samoa (6.6)	70. Dominican Republic (13.0)	108. Albania (4)	123. Tunisia (4)
87. Turkey (9.2)	102. Turkey (6.5)	71. Turkey (12.6)	109. Turkey (4)	124. Turkey (4)
88. Venezuela (Bolivarian Republic of) (8.8)	103. Moldova (6.5)	72. Malta (12.1)	110. Ukraine (4)	125. Singapore (3)
108. Barbados (3.0)	173. Iceland (1.4)	164. Estonia (0.2)	125. Hungary (1)	134. Chile (1)

Source: UNDP. (2007). Human Development Report 2007-2008, Turkey, http://hdrstats.undp.org/countries/country_fact_sheets/cty_fs_TUR.html, December 01, 2007.

Road transport has the biggest share of transportation modes in Turkey. The share of highways in both passenger and freight transportation is over 90%, while railways do not handle more than 4-5%. The railway system has not benefited from any serious investment between 1950 and 1997 and the importance of railways as an alternative to highways, waterways, and airways has only been recognized in recent years (The Netherlands Economic and Commercial Department 2006). Although the quality of the roads varies, all provincial centers and major towns have been linked by an extensive road network. Improvement and widening of existing roads continues vigorously in Turkey. In addition, superhighways have been built between and around major cities and along the Black Sea region. Superhighways and the two Bosphorus bridges are toll-paid. Bosphorus road with rail link tunnel works still continue, and a third bridge is also under consideration. Several metropolitan municipalities have also built or are building metro systems.

There were 52.7 million mobile phone subscribers in Turkey by the year 2006. The penetration rate is expected to rise to 80% in 2007 (The Economist 2007). The internet usage has been steadily increasing in the country. As of September 2006, the number of users within the country that have access to the internet was 16 million, 21.1% of the population (Internet World Stats Usage and Population Statistics n.d.) Moreover, all major government and private sector business organizations, many small businesses, and most of the banks have web services, and e-government services are on the increase in Turkey. There is also an immense number of newspapers, television and radio channels both at the national and local levels.

Economy

The Turkish economy could be summarized as an open economy in the context of both international trade and the liberalization of the domestic economy in a mixed form, as the government plays a major role in the economy. As an overview, Turkey has a dynamic economy that is a complex mix of industry and commerce along with a traditional agriculture sector (Table 9). It has a strong and rapidly growing private sector.

TABLE 9: MAIN ECONOMIC INDICATORS, 2006*

Population (m)	72.6
GNP (US\$ bn)	399.7
Real GNP growth (%)	6
Per capita GNP (in current prices US\$)	5,477
Per capita GDP (ppp US\$)**	9,100
Consumer price inflation (%)	9.6
Current account balance (shuttle trade included; US\$ m)	-31.6
External dept (year-end; US\$)	206
Exports-FOB (US\$ bn)	88.5
Imports-CIF (US\$ bn)	135.5
Exchange rate (av; TL:US\$)***	1.2

*Source: The Ministry of Finance, General Directorate of Public Accounts, Basic Economic Indicators 1990-2008,

<http://www.muhabesebat.gov.tr/ekogosterge/2007WEB/teg/teg.pdf>, October 23, 2007.

**CIA (2007a). The World Fact Book, Turkey, Estimated Figure for 2006,

<https://www.cia.gov/library/publications/the-world-factbook/fields/2004.html>, October 26, 2007.

***As of October 23, 2007.

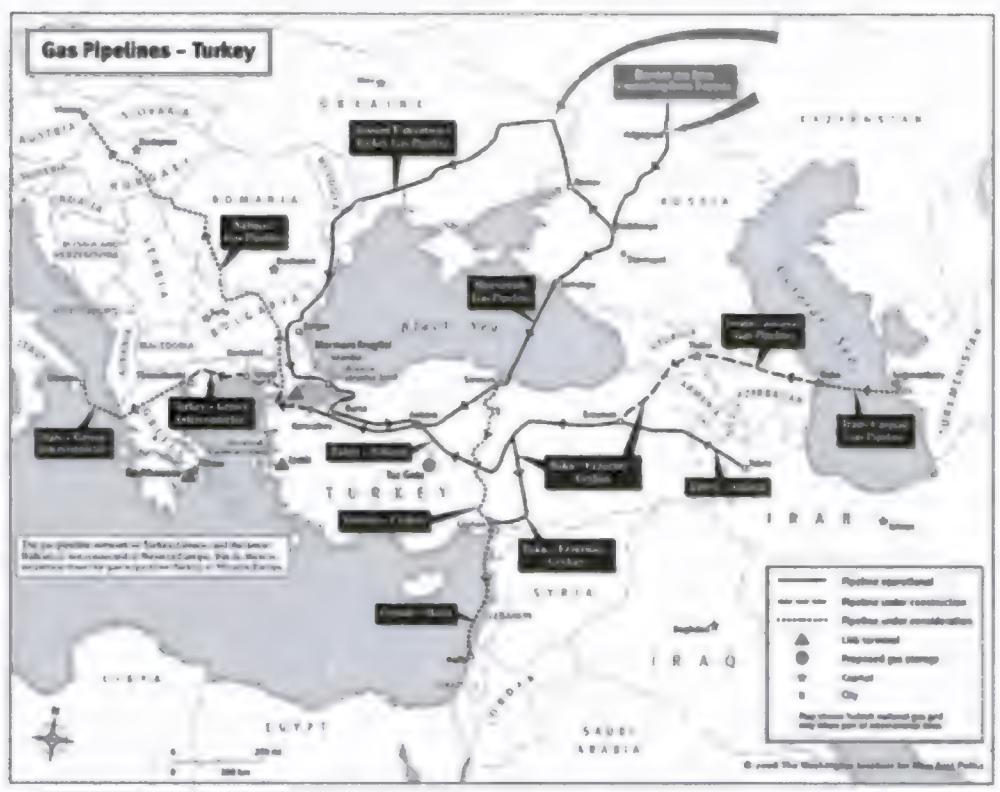
Over the past two decades, the Republic of Turkey has undergone a profound economic transformation. Combined with an outwardly oriented trade policy, the Turkish economy has been witnessing a progressive growth in most sectors. In spite of certain difficulties, the Turkish economy has become more resilient to external and domestic fluctuations.

During the last several years, the Republic of Turkey has been going through a very comprehensive process of economic reform and restructuring. With the strong backing of a single party government, the Turkish economy has gained enormous momentum and endurance especially in recent years. Macro-economic indicators have been following a positive trend.

Real GNP growth has exceeded 6% in many years, but this strong expansion was interrupted by sharp declines in output in 1994, 1999, and 2001. The economy is turning around with the implementation of economic reforms, and 2004 GNP growth reached 9.9%, followed by 6% annual growth in 2005-2006. Inflation fell to 7.7% in 2005, a 30-year lowest, but climbed back to 9.6% in 2006. Despite the strong economic gains between 2002-2006, which were largely due to renewed investor interest in emerging markets, IMF backing, and tighter fiscal policy, the economy is still burdened by a high current account deficit and high debt. Prior to 2005, foreign direct investment (FDI) in Turkey averaged less than \$1 billion

annually, but further economic and judicial reforms and prospective EU membership are expected to boost FDI. Privatization sales are currently approaching \$21 billion (Commission of the European Communities, 2007).

Turkey has a strategic location as an energy bridge between major oil and natural gas producing areas and consumer markets (Map 2). Turkey is a major crossroads for pipelines carrying oil and natural gas to the Mediterranean region and Western Europe from Russia, the Middle East and Asia. Oil began to flow through the Baku-Tbilisi-Ceyhan pipeline in May 2006, marking a major milestone that will bring up to 1 million barrels per day from the Caspian to market. There are two other main international gas pipelines, one from Iran, and the so-called "blue stream" pipeline running from Russia under the Black Sea to Turkey (Commission of the European Communities 2007). An historic step to make Turkey an energy bridge for Europe was taken recently with the opening of a Turkish-Greek pipeline, which carries Azeri oil to Greece via Turkey (Sabah 2007).



MAP 2: GAS PIPELINES-TURKEY

Source: <http://www.washingtoninstitute.org/mapImages/44ee32e1c7619.pdf>,
October 23, 2007.

The estimated GNP for Turkey in 2007 is US \$410 billion, which shows an increase of 5% over the previous year, and the estimated per capita GDP, purchasing power parity, was US \$9,048 for 2006 (The Economist 2007). The percentages of agriculture, industry, and services that contribute to total GDP are: Agriculture 11.2%, industry 29.4%, and services 59.4%. As of November 2007, the cumulative budget revenue was 174.7 billion and expenditure was 184.4 billion YTL for Turkey (Ministry of Finance General Directorate of Budget and Fiscal Control 2008).

Inflation has been a chronic problem in Turkey for many years. From 1988-1999, the annual rate varied between 60-90%. As of November 2007, the inflation rate figure was 8.4% (Ministry of Finance 2007). An estimated account balance was -9.7 billion YTL for the same period (Ministry of Finance General Directorate of Budget and Fiscal Control 2008).

In January-December 2007 (TURKSTAT 2008), exports grew (25.3% in 2007 compared with 2006) to \$107,154 million; imports grew (21.8% in 2007 compared with 2006) to \$169,987 million. Compared with the same period of the previous year, the foreign trade deficit was up by 16.3% to reach \$62,833 million.

The importance of the EU in exports continued during the January-December 2007 period. Compared with the same period in the previous year, exports to the EU were \$60,405 million an increase of 26%. The proportion of the EU countries was 56.4% while the proportion of Free Zones in Turkey was 2.7% with others amounting to 40.9%. In January-December 2007, the main partner for exports was Germany with \$11,994 million an increase of 23.8%. For exports, Germany was followed by the UK (\$777 million), Italy (\$672 million), France (\$598 million), Russia (\$416 million) and Spain (\$386 million).

In January-December 2007, the European Union countries were the most intensive country group for imports (\$68,590 million), followed by other European Countries (\$34,248 million), Asian Countries (\$46,284 million) and Free Zones in Turkey (\$1,221 Million Dollars). For December 2007, the top country for Turkey's imports was Russia (\$2,527 million), records for imports range from Germany (\$1,810 million), China (\$1,231 million), Italy (\$917 million) and the USA (\$778 million).

Government and Politics

Turkey is a constitutional republic with a multiparty parliamentary system. The Constitution of the Republic of Turkey, 1982, describes: (a) general principles as the form, characteristics and fundamental aims and duties of the state, (b) Fundamental rights and duties of citizens, (c) fundamental organs of the state, (d) financial, economic, and other provisions.

As constitutional principles: "The Turkish State is a Republic" (Article 1). "The Republic of Turkey is a democratic, secular and social state governed by the rule of law; bearing in mind the concepts of public peace, national solidarity and justice; respecting human rights; loyal to the nationalism of Ataturk, and based on the fundamental tenets set forth in the Preamble" (Article 2). "The Turkish state, with its territory and nation, is an indivisible entity. Its language is Turkish. Its flag, the form of which is prescribed by the relevant law, is composed of a white crescent and star on a red background. Its national anthem is the Independence March. Its capital is Ankara" (Article 3).

"The fundamental aims and duties of the state are: to safeguard the independence and integrity of the Turkish Nation, the indivisibility of the country, the Republic and democracy; to ensure the welfare, peace, and happiness of the individual and society; to strive for the removal of political, social and economic obstacles which restrict the fundamental rights and freedoms of the individual in a manner incompatible with the principles of justice and of the social state governed by the rule of law; and to provide the conditions required for the development of the individual's material and spiritual existence" (Article 5).

The constitution also provides for the fundamental rights and duties of citizens. "Everyone possesses inherent fundamental rights and freedoms which are inviolable and inalienable. The fundamental rights and freedoms also comprise the duties and responsibilities of the individual to the society, his or her family, and other individuals" (Article 12). "Fundamental rights and freedoms may be restricted only by law and in conformity with the reasons mentioned in the relevant articles of the Constitution without infringing upon their essence. These restrictions shall not be in conflict with the letter and spirit of the Constitution and the requirements of the democratic order of the society and the secular Republic and the principle of proportionality" (Article 13).

The Constitution distributes the state powers as follows: legislative power is vested in the Grand National Assembly on behalf of the Turkish Nation. This power cannot be delegated; the Executive power and functions are exercised by the President of the Republic and by the Council of Ministers in conformity with the Constitution and the law; and, judicial power shall be exercised by independent courts on behalf of the Turkish Nation.

Legislative power: "The Turkish Grand National Assembly is composed of five hundred and fifty deputies elected by universal suffrage" (Article 75). "Every Turk over the age of 25 is eligible to be a deputy" (Article 76). "Elections for the Turkish Grand National Assembly shall be held every four years" (Article 77). "The functions and powers of the Turkish Grand National Assembly comprise the enactment, amendment, and repeal of laws; the supervision of the Council of Ministers and the Ministers; authorization of the Council of Ministers to issue governmental decrees having the force of law on certain matters; debating and approval of the budget draft and the draft law of final accounts, making decisions

on the printing of currency and the declaration of war; ratifying international agreements, making decisions with 3/5 of the Turkish Grand National Assembly on the proclamation of amnesties and pardons according to the Constitution; and exercising the powers and executing the functions envisaged in the other articles of the Constitution" (Article 87). "The Turkish Grand National Assembly convenes, with the minimum proportion of one-third, for all proceedings, including elections, that it undertakes. The Turkish Grand National Assembly, unless stated otherwise in the Constitution, decides on the basis of absolute majority of the attendees; however, the quorum cannot be less than one-fourth of the total number of members plus one" (Article 96). "The Turkish Grand National Assembly shall exercise its supervisory power by means of questions, parliamentary inquiries, general debates, motions of censure and parliamentary investigations" (Article 98).

Executive power is exercised by the President of the Republic and by the Council of Ministers. "The President of the Republic is elected by the people from among TGNA members with higher education and age of forty or over, or Turkish citizens with same qualifications and competency to be elected a deputy. The presidency term is five years, and one can be elected President only twice. The satisfactory condition for candidacy for Presidency from among TGNA members or from outside the TGNA is a written proposal of twenty deputies. Moreover, political parties whose percentage of total valid votes in last general deputy elections exceeds 10% can nominate a candidate. The partisan affiliation and TGNA membership of a person elected as President shall end" (Article 101).

Duties and powers of the president such as he or she "is the Head of the state. In this capacity he or she shall represent the Republic of Turkey and the unity of the Turkish Nation; he or she shall ensure the implementation of the Constitution, and the regular and harmonious functioning of the organs of state" (Article 104). The Cabinet, or Council of Ministers, is appointed by the president on the nomination of the Prime Minister. The Council of Ministers that is politically accountable to the legislature is composed of the prime Minister and the ministers. The Prime Minister must be a member of the TGNA, while the ministers are not required to be deputies. "The Prime Minister, as Chairman of the Council of Ministers, shall ensure cooperation among the ministries, and supervise the implementation of the government's general policy. The members of the Council of Ministers are jointly responsible for the implementation of this policy" (Article 112).

Judicial power is exercised by independent courts on behalf of the Turkish nation. "Judges shall be independent in the discharge of their duties; they shall give judgment in accordance with the Constitution, law, and their personal conviction conforming to the law. No organ, authority, office or individual may give orders or instructions to courts or judges relating to the exercise of judicial power, send them circulars, or make recommendations or suggestions. No questions shall be asked, debates held, or statements made in the Legislative

Assembly relating to the exercise of judicial power concerning a case under trial. Legislative and executive organs and the administration shall comply with court decisions; these organs and the administration shall neither alter them in any respect, nor delay their execution" Article (138).

The constitution also describes financial, economic and other provisions on Budget, Final Account, Planning, Supervision of Markets and Regulation of Foreign Trade, Exploration and Exploitation of Natural Resources, Forests and the Inhabitants of Forest Villages, Promotion of Cooperatives, Protection of Consumers, Small Traders and Craftsmen and other final provisions.

Administrative structure in Turkey is organized as 'central' and 'local' to ensure the provision of services in an efficient and effective manner. The organization and functions of the administration are based on the principles of centralization and decentralization. The Constitution provides a framework for creating a unitary and holistic model of central administration and local government to render effective public services whereby the needs of the people are taken into full consideration.

Administrative institutions in Turkey may be briefly classified under three groups: Central administration, local government, and other institutions and organizations.

Central administration is also called general administration. It represents the organizations that make up the main administrative structure of the state. It takes and implements political, administrative and economic decisions about the general administration of the country. The structure of central administration comprises central state apparatus - prime ministry, ministries and other related government agencies and their local branches in provinces and districts. Central administration is organized along provincial, district and sub-district -bucak- levels, considering the country's service requirements, economic and social conditions and geographical characteristics. For that purpose, 81 provincial, 850 districts¹ and a number of sub-district governments operate in the Turkish Republic.

Local Government: There are four types of local government, including metropolitan municipalities in Turkey. Special provincial administrations cover areas that fall neither within municipal or village boundaries. The governor, the representative of the central government, is also the head of the special provincial administrations. Municipalities have been established in areas which have more than 5,000 inhabitants. The Mayor, who is the chief executive and representative of the municipality, is elected for a term of five years. Metropolitan municipalities are main urban area municipalities, and villages are governed by the elected

¹ The newly enacted Law No. 5747 on March 06, 2008 by TGNA establishes extra 43 new districts in Adana, Ankara, Antalya, Diyarbakır, Erzurum, Eskişehir, İstanbul, İzmir, Kocaeli, Mersin, Sakarya, and Samsun Metropolitan Municipalities. The process of the amendment is ongoing as this book is about to be published.

Headman (Mukhtar) and the Council of Elders. There are 81 special provincial administrations, 16 metropolitan municipalities, 3,225 municipalities² and 34,458 village administrations in Turkey.

Other institutions and organizations are bodies of supervision and counseling at the central administration. The major purposes of those institutions and organizations are to support the functions of central government administration and ministries; to counsel on certain circumstances; and, to provide supervision. These are the National Security Council, the State Planning Organization, the Council of State, and the Audit Court. In addition to these, institutions and organizations such as General Directorate of Foundations, General Directorate of Physical Education, and General Directorate of State Hydraulic Works etc. are the related organizations in central government.

Finally, there are public professional organizations within the Turkish public administration system. According to the 135th article of the Constitution, public professional organizations and their higher organizations are public corporate bodies established by law, with the objectives of meeting the common needs of the members of a given profession, to facilitate their professional activities, to ensure the development of the profession in keeping with common interests, to safeguard professional discipline and ethics in order to ensure integrity and trust in relations among its members and with the public; their organs shall be elected through secret ballot by their members in accordance with the procedure set forth in the law, and under judicial supervision. Those public professional organizations are such as Bars, Turkish Bar Association, Chamber of Medical Doctors, Chamber of Engineers and Architects, chambers of commerce, chambers of industry, Association of Turkish Tradesmen and Craftsmen, etc.

A Brief Outline of Turkish History and Major Political Developments

Turkey like many other countries in the region is a young Republic that was born out of the Ottoman Empire. However, the history of Turkish people goes back much further.

The name Turk first appeared in history in the 6th century in Central Asia where a vast landlocked region of Asia is located (Birim-Harding & Gevacleu

² The Law No. 5747 of March 06, 2008 redesignates the municipalities in Turkey. According to the law, following Turkish Statistics Institute (TURKSTAT) Address-Based Population Recording System Census results, 862 municipalities whose population fall below 2,000 as well as 283 first tier municipalities lose their legal entities. Finally the law envisages 16 metropolitan municipalities; 142 district municipalities within metropolitan municipalities' regions; 65 provincial municipalities; and 750 district municipalities. So, there are going to be 2,103 municipalities in Turkey in total. The process of the amendment is ongoing as this book is about to be published.

1999). The Gokturks chose Otuken, as a base and established khanates. Throughout history, the Turks have established numerous states in various geographical regions on the continents of Asia, Europe and Africa. Turkic people came into contact with Islam through trade on the Silk Road, and through Arabs. During the 10th century AD, Karakhanid adopted Islam, and became the first Muslim Turkic state. Anatolia, where the major part of Turkey is now located, had been a cradle to a wide variety of civilizations and kingdoms in antiquity. The Oghuz Turks were the main people who moved into Anatolia after 1071 following the Manzikert victory of the Seljuks against Byzantines (Embassy of the Turkish Republic 2007b).

With the demise of the Seljuk Sultanate, Turkish Anatolia was divided into a patchwork of independent states, the so-called emirates. The Ottoman Empire was erected by the Oghuz Turk ethnicity in the beginning based at Sögüt, western region of Turkey. Following Ertuğrul Ghazi's death, Osman Beg became chief, and by 1299 declared himself a sovereign ruler apart from the Seljuk Empire.

In the time of rise of the Ottoman Empire (1299-1453) the government utilized its legal entity known as "millet", under which religious and ethnic minorities were able to manage their own affairs with substantial independence from central control. In 1453, Constantinople fell to the Ottomans under Mehmet the Conqueror, an event which established the Ottomans as a major power (Growth period 1453-1683). The peak of the golden age was the rule of Suleiman the Magnificent (1520-1566). During his time, the Empire had control over the Mediterranean, Middle East, the Black Sea, and Europe up to Vienna. They also got the control of Muslim holy cities like Mecca, Medina and Jerusalem. The Ottoman Sultans were also Caliphs, leaders of the Muslims as successors of Prophet Mohammed. By the late 19th century Turks were evenly spread throughout Europe and the Balkans (See Map 3).



MAP 3: The OTTOMAN EMPIRE in 1683

Source: http://en.wikipedia.org/wiki/Turkish_people#History, October 18, 2007.

During these centuries, the Ottomans developed their own peculiar administrative and legal system, which allowed non-Muslims to live within the Empire without forced conversion. Since they lived in their local communities with a certain degree of autonomy, they had to pay a special tax to the Central state. The army, officers, and officials of the State were gathered from among male children of the occupied and ruled Christian lands. The system ensured the existence of a group of soldiers and administrators who were loyal only to the Sultan and the State.

The decline and fall of the Empire took nearly three centuries (Decline and reform period 1699-1908). When it started losing land to the western powers, the Ottomans realized they had to reform and westernize their army, education and technology. The reform period, Tanzimat -Reorganization- Era started officially in 1839 (The Rescript of Gülhane-Gülhane Hatt-ı Hümayunu 1839). The main aim was to save the Empire from pressures dictated by the foreign powers. In this

period the centralization of the administration and some improvements got started. Government offices and ministries, and local administrations were established, legislative bodies were appointed, and salaried bureaucrats replaced those officials who were paid by the people who used their services.

Towards the end of the 1860s the growing new bureaucrats of the Empire known as Young Ottomans forced the state to become a constitutional government. The first written constitution in Turkish history -Kanun-i Esasi- was adopted on December 23, 1876 (The Ottoman Constitution 1876). This constitution was not the result of a movement based on the will of the people, but was brought about by means of the Young Ottomans. Despite the many deficiencies in the 1876 Constitution, it can be considered a very significant advance due to the fact that it was the first written legal document of the Ottoman State which did not have a tradition of democracy and because it commenced the constitutional government. The Ottoman State participated in the First World War, and the war ended with defeat. Then, the Mondros Armistice was signed on October 30, 1918. The victorious powers of the First World War shared the Ottoman country on paper. According to these plans, the political existence of the Turkish nation was completely eliminated except for a small region.

The process of the Turkish Independence War for national sovereignty was started with the arrival of Mustafa Kemal (Atatürk) in Samsun on May 19, 1919. On 21-22 June 1919 in the famous Amasya Circular it was stated that the independence of the nation will be saved once more by the determination and decisiveness of the people. Eventually, the Erzurum Congress convened on July 23, 1919. On September 4th the Sivas Congress gathered, which was the basis for the founding of the new Turkish State based on the principle of national sovereignty.

The Turkish Grand National Assembly (TGNA), established on national sovereignty, held its opening session with the participation of enthusiastic people on April 23, 1920. The TGNA elected Mustafa Kemal (Atatürk) to the presidency in its second meeting held on 24th April. The TGNA adopted the principle of unity of powers as governmental system. A law was promulgated on 2nd May concerning the selection of the Council of Ministers. The first discussions on the Constitution made by the TGNA started on 19th November and were accepted with a vote taken on January 20, 1921. In this way, the first Constitution was adopted based on the principle of national sovereignty. The TGNA functioned under extraordinary circumstances and exercised legislative, executive and judicial powers under the concept of the unity of these powers (The 1921 Constitution -Selections- 1921).

On October 13, 1923 a decision was approved to make Ankara the capital city. On 29th October, in the first article of the Constitution was placed the provision 'the form of government of the Turkish State is a Republic'. On the same day, Mustafa Kemal (Atatürk) was elected as the first President of the Republic of

Turkey. The republic period constitution was accepted by the General Assembly with an overwhelming majority vote on 20 April 1924 (The 1924 Constitution 1924). The new constitution was based on the principle of unification of power. Some other basic principles were added to the 1924 Constitution with the changes made in 1928, 1934 and 1937. The change of 10 April 1928 gave a secular character to the State. With the change of December 5, 1934, the full right to vote and be elected was recognized for women. The change of February 5, 1937 determined the attributes of republicanism, nationalism, populism, statism, secularism, and reformism.

The first political party of the new Turkish State was officially established on 23 October, 1923 under the name of the People's Party. Later it took the name of the Republican People's Party. The tendency for a transition to a multi-party system gained strength after the conclusion of the Second World War. The Democrat Party was established on 7 January, 1946. The first election in the history of the Republic of Turkey, in which more than one party participated, was held on 21 July, 1946. As a result of the elections of 14 May 1950, the Democrat Party came to power and replaced the Republican People's Party, which had remained in power uninterrupted for 24 years.

The Democrat Party government was terminated by a military coup d'état undertaken on 27 May, 1960. The new constitution, which was prepared within a year, was submitted to a referendum on 9 July, 1961 (The Constitution of the Republic of Turkey 1961). In this way, for the first time in Turkish history, a constituent assembly prepared a constitution, which was accepted with a referendum. The Constitution of 1961 was a long and detailed text. It introduced significant innovations. It contained a provision that national sovereignty 'would be used by means of authoritative organs' and thus the principle of a separation of powers came to light. The basic rights and freedoms were established in a detailed manner in the Constitution. The Constitution of 1961, together with the amendments of 1971, remained in force until the second military coup d'état occurred in 1980.

The biggest innovation brought about by the Constitution of 1982 (The Constitution of the Republic of Turkey 1982) was the unicameral Assembly system, that is, a return to the Republic tradition. The executive was somehow more strengthened. New measures were brought in on the subject of limiting freedoms. Excluding these, a large portion of the Constitution of 1982 resembles the Constitution of 1961 (TBMM 2007).

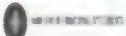
CHAPTER 2

LOOKING AHEAD: TURKEY'S EUROPEAN UNION MEMBERSHIP

Given its geopolitical status, Turkey has always been considered a strategically important country in the region. However, more importantly Turkey's position in Europe and Asia might be summarized as a country undertaking the role of a 'bridge between East and West'. Being modern, democratic and secular, Turkey can be a leading actor, fostering confidence and trust in the region in spite of country's own problems. Turkey's respectability evolves mainly from its dynamic and progressive cultural, historical, socioeconomic, and governmental characteristics (East West Institute 2007).

A diverse range of alliances is one of the strengths of the country (See Table 10). By virtue of its strong strategic ties, Turkey increasingly becomes a regional power as a global actor with a growing influence in world order. Today, Turkey is a member of almost every Western European international organization including the United Nations (UN) and the World Trade Organization (WTO). It has security cooperation through its membership of North Atlantic Treaty Organization (NATO). Its diplomatic, economic and cooperative relations reach the West and the East through the Council of Europe (CE), the Organization for Security and Cooperation in Europe (OSCE), the Organization for Economic Cooperation and Development (OECD), the Organization of the Black Sea Economic Cooperation (BSEC), Euro-Atlantic Partnership Council (EAPC), European Bank for Reconstruction and Development (EBRD), the Economic Cooperation Organization (ECO), the Organization of the Islamic Conference (OIC), Islamic Development Bank (IDB), the Southeast European Cooperative Initiative (SECI), as an associate member for the Western European Union (WEU), as an observer for the Organization of American States (OAS), and it is an accession country to the European Union (EU).

TABLE 10: TURKEY'S MEMBERSHIP in INTERNATIONAL ORGANIZATIONS in Years

	Antarctic Treaty	25 Jan 1996
	Australia Group	
	Asian Development Bank (ADB)	15 Apr 1991
	Bank for International Settlements (BIS)	
	Black Sea Economic Cooperation (BSEC)	25 Jun 1992
	Council of Europe (CE)	13 Apr 1950
	European Organization for Nuclear Research, observer,(CERN)	
	Economic Cooperation Organization (ECO)	1985
	Euro-Atlantic Partnership Council (EAPC)	
	European Bank for Reconstruction and Development (EBRD)	29 May 1990
	European Union, applicant, (EU)	
	Fédération Internationale de Football Association	1923
	Food and Agriculture Organization (FAO)	6 Apr 1948
	International Atomic Energy Agency (IAEA)	29 Jul 1957

	International Civil Aviation Organization (ICAO)	4 Apr 1947
	International Chamber of Commerce (ICC)	
	International Court of Justice (ICJ)	24 Oct 1945
	International Red Cross and Red Crescent Movement (ICRM)	8 Aug 1868
	International Criminal Police Organization (ICPO/Interpol)	3 Jun 1946
	International Development Association (IDA)	
	International Energy Agency (IEA)	1981
	International Finance Corporation (IFC)	1956
	International Fund for Agricultural Development (IFAD)	14 Dec 1977
	International Hydrographic Organization (IHO)	2 Mar 1950
	International Labor Organization (ILO)	18 Jul 1932
	International Maritime Organization (IMO)	25 Mar 1958
	International Mobile Satellite Organization (IMSO)	16 Nov 1989
	International Monetary Fund (IMF)	11 Mar 1947
	Inter-Parliamentary Union (IPU)	1910

	International Olympic Committee (IOC)	1911
	International Organization for Migration (IOM)	30 Nov 2004
	International Organization for Standardization (ISO)	
	International Telecommunication Union (ITU)	1 Jan 1866
	International Telecommunications Satellites Organization (ITSO)	6 May 1968
	International Trade Union Confederation (ITUC)	
	Islamic Development Bank (IDB)	12 Aug 1974
	League of Nations	18 Jul 1932
	Multilateral Investment Guarantee Agency (MIGA)	
	North Atlantic Treaty Organization (NATO)	18 Feb 1952
	Nuclear Energy Agency (NEA)	
	Nuclear Non-Proliferation Treaty (NPT)	17 Apr 1980
	Nuclear Suppliers Group (NSG)	
	Organization of American States, observer, (OAS)	
	Organization for the Prohibition of Chemical Weapons (OPCW)	11 Jun 1997
	Organization for Economic Co-operation and Development (OECD)	16 Apr 1948

OSCE	Organization for Security and Co-operation in Europe (OSCE)	25 Jun 1973
	Organization of the Islamic Conference (OIC)	1970
	Permanent Court of Arbitration (PCA)	12 Jun 1907
	International Federation of Red Cross and Red Crescent Societies	7 Apr 1930
	Southeast European Cooperative Initiative (SECI)	
	United Nations (UN)	24 Oct 1945
	United Nations Committee on Trade and Development (UNCTAD)	30 Dec 1964
	United Nations Educational, Scientific and Cultural Organization (UNESCO)	4 Nov 1946
	United Nations High Commissioner for Refugees (UNHCR)	
	United Nations Industrial Development Organization (UNIDO)	21 Jun 1985
	United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)	8 Dec 1949
	United Nations Mission in the Sudan (UNMIS)	
	United Nations Operation in Cote d'Ivoire (UNOCI)	
	United Nations Observer Mission in Georgia (UNOMIG)	
	United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)	
	Union of European Football Associations (UEFA)	

	Universal Postal Union (UPU)	1 Jul 1875
	World Bank (International Bank for Reconstruction and Development)	11 Mar 1947
	World Customs Organization (WCO)	4 Nov 1952
	Western European Union, Associate, (WEU)	
	World Federation of Trade Unions (WFTU)	
	World Health Organization (WHO)	7 Apr 1948
	World Intellectual Property Organization (WIPO)	12 May 1976
	World Meteorological Organization (WMO)	23 Mar 1950
	World Tourism Organization(UNWTO)	2 Jan 1975
	World Trade Organization (WTO)	17 Oct 1951
	Zanger Committee (ZC)	

Source: CIA (2007b). The World Fact book,
<https://www.cia.gov/library/publications/the-world-factbook/fields/2107.html>,
 11.30.2007; World Statesmen. (2007). International Organizations,
http://www.worldstatesmen.org/International_Organizations.html, November 30,
 2007.

Joining the EU has become one of Turkey's highest political priorities, and it is a major force in shaping regulatory reforms in many political, economic, social, and administrative sectors. It could be argued that all of these regulatory changes taking place as part of the preparation for EU membership, are actually bringing Turkey into line with a range of international standards.

Membership to the EU is a process, which has its roots back in the late 1950s. Turkey has had an association agreement with the European Community since 1964 and entered a Customs Union with the EU in 1996. Turkey formally submitted an application for membership on April 14, 1987. Following decisions of the European Council meeting on December 12, 1999 Turkey was formally approved as a candidate state to join the EU, subject to the same assessment criteria as other candidate/new member-states.

Since then Turkey has undergone a very comprehensive reform process geared at meeting the membership criteria as stipulated by the EU. Consequently, at the 2002 meeting in Copenhagen, the European Council concluded that if, on the basis of a report and recommendation from the Commission, it was decided at the European Council of December 2004 that Turkey had fulfilled the Copenhagen criteria, a set of basic standards covering democracy, human rights and respect for minorities, accession negotiations would be opened without delay. Based on the recognition by the European Commission and the Council of Ministers, in December 2004 Turkey was given a firm date, October 3, 2005, to start the accession negotiations (Embassy of the Turkish Republic 2007c). The negotiations were opened as planned on October 3rd and the process is likely to take at least a decade to complete.

Turkey's Accession Partnership with the EU was agreed on December 12, and adopted on December 23, 2005. It sets out priorities for Turkey on meeting the Copenhagen criteria and the assistance that the EU will provide. The underlying and shared objective of the negotiations is Turkey's accession. The accession negotiations are conducted in the framework of an intergovernmental conference with the participation of Turkey and all EU member states. The policy issues are broken down into 35 policy areas -chapters- (Table 11).

TABLE 11: PRELIMINARY INDICATIVE LIST OF CHAPTER HEADINGS

1. Free movement of goods
2. Freedom of movement for workers
3. Right of establishment and freedom to provide services
4. Free movement of capital
5. Public procurement
6. Company law
7. Intellectual property law
8. Competition policy
9. Financial services
10. Information society and media
11. Agriculture and rural development
12. Food safety, veterinary and phytosanitary policy
13. Fisheries
14. Transport policy
15. Energy
16. Taxation
17. Economic and monetary policy
18. Statistics
19. Social policy and employment*
20. Enterprise and industrial policy
21. Trans-European networks
22. Regional policy and coordination of structural instruments
23. Judiciary and fundamental rights
24. Justice, freedom and security
25. Science and research
26. Education and culture
27. Environment
28. Consumer and health protection
29. Customs union
30. External relations
31. Foreign, security and defense policy
32. Financial control
33. Financial and budgetary provisions
34. Institutions
35. Other issues

*This chapter includes also anti-discrimination and equal opportunities for women and men.

Source: EC Enlargement. (2005). Negotiating Framework, Luxembourg, October 3, 2005,

http://ec.europa.eu/enlargement/pdf/turkey/st20002_05_TR_framedoc_en.pdf.

The Eurobarometer Report (European Commission 2007) examines the main subjects relating to the European Union and the construction of Europe, and covers 31 countries or territories: respondents in the 27 Member States of the European Union, the three candidate countries, and the Northern Part of Cyprus. According to the report, 76% of respondents in Turkey are satisfied with their life. The majority of respondents in Turkey think that their personal situation is now better than it was five years ago: 51% of Turks share this opinion, compared with 20% who think that their situation has worsened in recent years. More than four out of ten respondents are optimistic (44%) and they expect their life to change over the next twelve months. Four out of ten respondents (39%) in Turkey expect an improvement in their lives over the following year. According to the interviewees in Turkey, 36% of Turkish people believe that the European Union's economic situation will improve. Almost four out of ten (38%) of interviewees expect their country's economic situation to improve.

Only 38% of respondents in Turkey trust the European Union. Three quarters of the interviewees trust their national institutions. The level of mistrust is only 25% in Turkey. Moreover, 22% in Turkey tend not to trust their national parliament. Respondents also trust their television, radio and the Internet. However, two-thirds of them tend not to trust their press.

According to responses on related issues, respondents in Turkey are most likely to have a positive perception of the welfare state and public administration. 64% have a positive image of protectionism.

With regard to the question 'which are the factors that most create a feeling of community among European Union citizens' respondents in Turkey mentioned first religion, 41%, then history, 26%, and then economy, 25%. A minority of respondents, 20%, recognize the European flag. 31% of those polled in Turkey believe that the European flag should be flown on all public buildings in their country alongside the national flag.

As for the meaning of the EU, respondents in Turkey put economic prosperity, 31%, first, ahead of the freedom to travel, study and work anywhere in the EU, 28%, and peace, 27%. Respondents are more optimistic, and 62% of them are convinced of the benefits that membership of the European Union would bring to their country. 47% of Turks think that they would feel more stable economically and politically if they were members of the EU. However, the majority of respondents in Turkey, 45%, do not agree that the interests of their country would be properly taken into account in the EU. In the same way, the majority of interviewees in Turkey do not think that their voice would count. Finally, half of Turkish respondents consider that their country will become more influential in the EU in future, 52% (European Commission 2007).

Although respondents in Turkey (47%) are more likely than citizens of the EU countries (27%) to perceive the European Union negatively. A majority of Turkish respondents, 53%, consider its image to be positive. However, respondents in

Turkey are less familiar with the European institutions than European Union citizens. Only four out of ten of those polled in Turkey were unable to express an opinion on the four institutions. The majority also mistrust the European institutions. Only 37% support the single currency policy; 40% the European foreign policy, and 46% support the common security and defense policy.

52% are moderately optimistic about the future of the European Union. Half of the respondents in Turkey, 50%, declared that they are in favor of further enlargement of the European Union to include other countries in future years.

The European Commission monitors Turkey's progress towards accession and produces an annual written report for presentation to the European Council. The Commission's 2007 report (Commission of the European Communities 2007) states that accession negotiations with Turkey continue. The preparatory analytical phase reaches its final stage. In this stage the level of preparedness to start negotiations on individual chapters is assessed on the basis of screening reports. The report also notes that bilateral EU-Turkey trade, which reached €85 billion in 2006, thereby making Turkey the EU's seventh trading partner. However, a number of Turkey's commitments on technical barriers to trade remain unfulfilled.

The Commission's 2007 report also makes statements related to Turkish public administration. The report points out the government's adaptation of a regulation on city councils in October 2006. The report also mentions city councils as platforms to enhance local ownership and participation in municipality management.

According to the progress report 2007, Turkey has made some progress on better regulations with respect to public administration: a circular of April 2007 on the implementation of the Regulatory Impact Assessment (RIA), and RIA guidelines of November 2006 were adopted to enhance the quality of regulations, establishing one-stop offices within provinces and districts to lessen the administrative burden on citizens requesting certain public services. For instance, as part of a simplification drive, 1,085 outdated government circulars were cancelled in January 2007. However, there has been no progress with regard to the adoption of the Framework Law on Public Administration, which aims to reform central administration and devolve powers to local administrations. Moreover, no progress has been made with regard to transferring more financial resources to local administrations.

The report concludes that there has been some progress in legislative reform of the public administration and civil service system. Limited progress has been recorded in terms of implementation and capacity building. Attention needs to be paid to reducing red-tape, enhancing transparency and strengthening accountability mechanisms as well as devolution of powers to, and increasing financial resources of, local governments.

Turkey's vision for the 21st century is to achieve integration with Europe and become a leading country in the region (Embassy of the Turkish Republic 2007c). There are clear qualitative changes in Turkey-EU relations for meeting the challenges of establishing a modern society. Turkey has already carried out many legal reforms with regard to individual freedom and human rights. It is clear that the EU integration process is not an issue of just meeting the Brussels' requests. On the contrary, it is an issue of becoming an effectively functioning and democratic society in the modern world. Everyone has to keep in mind that Turkey needs European Union membership as much as the EU needs Turkey, but neither is obliged to each other. Thus, a more prosperous, sustainable, compatible, and democratic Turkey's accession to the EU might be a great opportunity for mutual peaceful understanding between civilizations.

Including the development goals and predictions of Turkey for 2007-2013, the 9th Development Plan covers the following (DPT 2006):

- The Turkish economy has demonstrated a stable growth performance for the last four years, which set an example for the developing world. In the period of the 9th Development Plan, it is expected that the GDP will rise on average by 7% per year, and in 2013 the GDP per capita of Turkey will reach USD 10,000. Turkey will, thus, have covered a considerable distance in meeting the EU's demands, and will also have become the 17th largest economy of the globe.
- It is also predicted that the decrease in the inflation rate will continue within the Plan period, and that the rise in CPI will move back to 3%.
- The Turkish economy will grow on average 7% per year in the Plan period, and industry and services are predicted to become the leading sectors of the Turkish economy.
- With the impact of privatization, the share of State Economic Enterprises (SEEs) in the Turkish economy will diminish by a substantial amount.
- Public investment shares in education and health, which are amongst the priority sectors, will be increased.
- Demographic improvements will continue in the long run; demographic features of Turkey will look like those of advanced nations. Important changes are awaited in the age structure of the population, and the working period and the number and rate of the elderly will rise continuously.
- As for development in the realm of employment and education, it is predicted that the employment rate will grow by 3.2 points and the unemployment rate will decrease by 2.7 points in the Plan period.
- The functions, capabilities and operations of public institutions and organizations will be reviewed to increase the quality and effectiveness of

public services and to abolish duplications. Policy making, financing and implementation capacities of the institutions and organizations will be improved, human resources will be developed, and knowledge and communication technologies will be effectively utilized in rendering public services to citizens.

- The public administration system will be restructured within the framework of good governance.
- Devolution of authority and functions from central to local government will be undertaken by considering the principles put forth by the Charter of Local Self-Government of the European Council. Prior to this, though, the administrative and financial capacities of local government will be strengthened.
- National minimum service standards will be put forward for services provided by local government, and the central government will audit the standard compatibility.
- The transition to strategic management in public institutions and organizations will be completed within the framework of change management approach. All public organizations will prepare their strategic plans and implement them.
- The policy making processes will be rationalized, and policies will be based on data and knowledge.
- Public resources will be allocated in accordance with program performance.
- The disproportionate distribution of public personnel among regions and organizations will be prevented. To this end, the necessary number of quality personnel will be hired to help the norm cadre system gain operationability.
- The performance assessment system will be reviewed; standards will be developed for the objective and transparent evaluation of personnel performance.
- E-government will be effectively used in the restructuring of the public administration system. Including local government, the emergence of a new public management system, which will enable the provision of services in a flexible, high-quality, effective, fast and collaborative manner, will be endorsed within the framework of good governance principles.
- An appropriate legal atmosphere will be provided to speed up economic, social and cultural development.

This section of the book briefly introduced Turkey with its historical, geographical, socio-demographic, economic, and political perspectives, and mainly described the public administration in a global context with the emphasis on European Union membership and the integration process. The following section introduces the administrative history of Turkey.

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PART II

ADMINISTRATIVE HISTORY: GOVERNMENT SYSTEM IN THE OTTOMAN ERA

The historical perspective of a government is illustrative of the awareness of an emerging administrative state and its centralizing tendencies (Raadschelders 2000). This chapter provides a brief history of the Ottoman State and its administrative system. Historical changes have shaped the administrative system. We should consider administrative developments while studying the administrative system of the Ottomans. Changes to the system during the era of the Republic will be discussed in each chapter.

CHAPTER 1

A BRIEF HISTORY OF THE OTTOMAN STATE

The Rise of the Ottoman

Turkish Anatolia was divided into a patchwork of independent states following the demise of the Seljuk Sultanate of Rüm. By 1300, a weakened Byzantium had seen most of its Anatolian provinces lost among some ten Ghazi principalities. One of the Ghazi emirates was led by Osman I (from which the name Ottoman is derived), son of Ertuğrul, in the region of Eskişehir in western Anatolia. According to tradition, as Ertuğrul migrated across Asia Minor leading approximately four hundred horsemen, he chanced upon a battle between two armies. Having decided to intervene, he chose the side of the losing army and turned the battle in their favor to secure victory. The troops he supported happened to be those of a Seljuk Sultan who rewarded him with territory in Eskişehir (Inalcık 1994). Following Ertuğrul's death in 1281, Osman became chief, or Bey, and by 1299 declared himself a sovereign ruler from the Seljuk Empire (Çetinsaya 2007; Imber 2002; Kafadar 1995; Inalcik 1973; Shaw 1976; Pitcher 1972).

Osman I extended the frontiers of Ottoman settlement towards the edge of the Byzantine Empire. He moved the Ottoman capital to Bursa, and shaped early political development. This period saw the creation of a formal Ottoman government whose institutions would remain largely unchanged for almost four centuries. The government utilized the legal entity known as the millet, under which religious and ethnic minorities were able to manage their own affairs with substantial independence from central government's control (Çetinsaya 2007; Inalcik 1973; Pitcher 1972).

Following conquests in the century after the death of Osman I, Ottoman rule began to extend over the Eastern Mediterranean and the Balkans. After defeat at the Battle of Plocnik, the Turkish victory at the Battle of Kosovo effectively marked the end of Serbian power in the region, and paved the way for Ottoman expansion into Europe. With the extension of Turkish dominion into the Balkans, the strategic conquest of Constantinople became a crucial objective. The empire

controlled nearly all of the former Byzantine lands, the Greeks gained a temporary reprieve when Timur Lenk invaded Anatolia in 1402, taking Sultan Bayezid I prisoner. Following the death of Timur Lenk in 1405, Mehmed I restored Ottoman power. His grandson, Mehmed the Conqueror, reorganized the structure of both the state and military, and demonstrated his martial prowess by capturing Constantinople -Istanbul- on 29 May 1453, at the age of 21 (Mansel 1997). The city became the new capital of the Ottoman Empire, and Mehmed II assumed the title of *Kayser-i Rûm* -Roman Emperor-. To consolidate this claim, Mehmed II aspired to gain control over the Western capital, Rome, as well; and Ottoman forces occupied parts of the Italian peninsula, starting from Otranto and Apulia on July 28, 1480. But after Mehmed II's death on May 3, 1481, the campaign in Italy was cancelled and the Ottoman forces retreated.

Growth of the Ottoman Empire

This period in Ottoman history can roughly be divided into two distinct eras: an era of territorial, economic, and cultural growth prior to 1566, followed by an era of relative military and political stagnation (Inalcık 1994; Ortaylı 1979). The Battle of Zonchio in 1499 was the first naval battle in history where cannons were used on ships, and signaled the rise of Ottoman naval power. The Ottoman conquest of Constantinople in 1453 cemented the status of the empire as the preeminent power in southeastern Europe and the eastern Mediterranean. During this time the Ottoman Empire entered a long period of conquest and expansion, extending its borders deep into Europe and North Africa. Conquests on land were driven by the discipline and innovation of the Ottoman military; and on the sea, the Ottoman navy established the empire as a great trading power. The state also flourished economically thanks to its control of the major overland trade routes between Europe and Asia (İnalcık 1973).

The Empire prospered under the rule of a line of committed and effective sultans. Sultan Selim I (1512–1520) dramatically expanded the Empire's eastern and southern frontiers by defeating Shah Ismail of the Safavid Persia, in the Battle of Chaldiran (Savory 1960). Selim I established Ottoman rule in Egypt, and created a naval presence on the Red Sea. After this Ottoman expansion, a competition started between the Portuguese Empire and the Ottoman Empire to become the dominant power in the region (Lewis 1995, 1989; Mansfird 1991; Hess 1973). Selim's successor, Suleiman the Magnificent (1520–1566), further expanded upon Selim's conquests. After capturing Belgrade in 1521, Suleiman conquered the Kingdom of Hungary and established Ottoman rule in the territory of present-day Hungary and other Central European territories, after his victory in the Battle of Mohács in 1526. He then laid siege to Vienna in 1529, but failed to take the city after the onset of winter forced his retreat (Magocsi 2002; Kafadar 1995; Lybyer 1978, 1966; Gladden 1937). During the reign of Suleiman, Transylvania, Wallachia and, intermittently, Moldavia, became tributary

principalities of the Ottoman Empire, but never became parts of it. In the east, the Ottomans took Baghdad from the Persians in 1535, gaining control of Mesopotamia and naval access to the Persian Gulf.

Under Selim and Suleiman, the empire became a dominant naval force, controlling much of the Mediterranean Sea. The exploits of the Ottoman admiral Barbarossa Hayreddin Pasha, who commanded the Turkish navy during Suleiman's reign, included a number of impressive military victories. Among these were the conquest of Tunis and Algeria from Spain; the evacuation of Muslims and Jews from Spain to the safety of Ottoman lands during the Spanish Inquisition; and the capture of Nice from the Holy Roman Empire in 1543. This last conquest occurred on behalf of France as a joint venture between the forces of the French king Francis I and those of Barbarossa. France and the Ottoman Empire, united by mutual opposition to Habsburg rule in southern and central Europe, became strong allies during this period. The alliance was economic as well as military, as the sultans granted France the right of trade within the empire without levy of taxation. In fact, the Ottoman Empire was by this time a significant and accepted part of the European political sphere, and entered into a military alliance with France, England, and the Netherlands against Habsburg Spain, Italy, and Habsburg Austria. Barbarossa Hayreddin Pasha defeated the Holy League of Charles V under the command of Andrea Doria at the Battle of Preveza in 1538. As the 16th century progressed, Ottoman naval superiority was challenged by the growing sea powers of Western Europe, particularly Portugal, in the Persian Gulf, Indian Ocean and the Spice Islands. With the Ottomans blockading sea-lanes to the East and South, the European powers were driven to find another way to the ancient silk and spice routes, now under Ottoman control. On land, the empire was preoccupied by military campaigns in the Austrian Empire and Persia, two widely-separated theaters of war. The strain of these conflicts on the empire's resources, and the logistics of maintaining lines of supply and communication across such vast distances, ultimately rendered its sea efforts unsustainable and unsuccessful. The overriding military need for defense on the western and eastern frontiers of the empire eventually made effective long-term engagement on a global scale impossible.

Revolts and Revival (1566–1683)

Suleiman's death in 1566 marked the beginning of an era of diminishing territorial gains. The rise of western European nations as naval powers and the development of alternate sea routes from Europe to Asia and the New World damaged the Ottoman economy. The effective military and bureaucratic structures of the previous century also came under strain during a protracted period of misrule by weak Sultans. But in spite of these difficulties, the empire remained a major expansionist power until the Battle of Vienna in 1683, which marked the end of Ottoman expansion into Europe. European states initiated

efforts at this time to curb Ottoman control of overland trade routes. Western European states began to circumvent the Ottoman trade monopoly by establishing their own naval routes to Asia. Economically, the huge influx of Spanish silver from the New World caused a sharp devaluation of the Ottoman currency and rampant inflation. This had serious negative consequences at all levels of Ottoman society. Sokullu Mehmet Pasha, who was the grand vizier of Selim II, created projects such as the Suez Canal and the Don-Volga Canal to save the economy, but these were cancelled as well (İnalcık 1973).

In southern Europe, a coalition of Catholic powers, led by Philip II of Spain, formed an alliance to diminish Ottoman naval strength in the Mediterranean Sea. Their victory over the Ottomans at the naval Battle of Lepanto (1571) hastened the end of the empire's primacy in the Mediterranean. In fact, Lepanto was considered by some earlier historians to signal the beginning of Ottoman decline. By the end of the 16th century, the golden era of sweeping conquest and territorial expansion was over. The Habsburg frontier in particular became a more or less permanent border until the 19th century, marked only by relatively minor battles concentrating on the possession of individual fortresses. This stalemate was partly a reflection of simple geographical limits: in the pre-mechanized age, Vienna marked the furthest point that an Ottoman army could march from Istanbul during the early-spring to late-autumn campaigning season. It also reflected the difficulties imposed on the empire by the need to maintain two separate fronts: one against the Austrians, and the other against a rival Islamic state, the Safavids of Persia. On the battlefield, the Ottomans gradually fell behind the Europeans in military technology and innovation. Discipline and unit cohesion in the army also became a problem because of relaxations in recruitment policy and the growth of the Janissary corps at the expense of other military units (Finkel 2005; İnalcık 1970a).

Murad IV (1612–1640), who recaptured Yerevan (1635) and Baghdad (1639) from the Safavids, is the only example in this era of a sultan who exercised strong political and military control of the empire. Notably, Murad IV was the last Ottoman Sultan who led his forces from the front. The Jelali revolts (1519–1610) and Janissary revolts (1622) caused widespread lawlessness and rebellion in Anatolia in the late 16th and early 17th centuries, and toppled several governments. However, the 17th century was not simply an era of stagnation and decline, but also a key period in which the Ottoman state and its structures began to adapt to new pressures and new realities, internal and external (Akşin 1988).

The Sultanate of women (1530s–1660s) was a period in which the political impact of the Imperial Harem was unchallenged, as the mothers of young sultans exercised power on behalf of their sons. Hürrem Sultan, who established herself in the early 1530s as the successor of Nurbanu, the first Valide Sultan, was described by the Venetian Baylo Andrea Giritti as 'a woman of the utmost goodness, courage and wisdom' despite the fact that she 'thwarted some while rewarding others' (Pierce 2003; Akşin 1988). The last prominent women of this

period were Kösem Sultan and her daughter-in-law Turhan Hatice, whose political rivalry culminated in Kösem's murder in 1651. This period gave way to the Köprülü Era (1656–1703), during which the Empire was controlled first by the powerful members of the Imperial Harem, and later by a sequence of Grand Viziers. The relative ineffectiveness of the successive sultans and the diffusion of power to lower levels of the government have characterized the Köprülü Era (İpşirli 1999).

Stagnation and Reform (1699–1827)

During the stagnation period many territories in the Balkans ceded to Austria. Certain areas of the empire, such as Egypt and Algeria, became independent in all but name, and subsequently came under the influence of Britain and France. The 18th century saw centralized authority giving way to varying degrees of provincial autonomy enjoyed by local governors and leaders. A series of wars were fought between the Russian and Ottoman empires from the 17th to the 19th century.

The long period of Ottoman stagnation is typically characterized by historians as an era of failed military, economic, political, education, and administrative reforms (Finley 1980). By this period the influences had become regressive and conservative. During the Tulip Era, Lâle Devri, named for Sultan Ahmed III's love of the tulip flower and its use to symbolize his peaceful reign, the empire's policy towards Europe underwent a shift. The region was peaceful between 1718 and 1730, after the Ottoman victory against Russia in the Pruth Campaign in 1712 and the subsequent Treaty of Passarowitz brought a period of pause in warfare. The empire began to improve the fortifications of cities bordering the Balkans to act as a defense against European expansionism. Other tentative reforms were also enacted: taxes were lowered; there were attempts to improve the image of the Ottoman state; and the first instances of private investment and entrepreneurship occurred (Aricanli n.d.). Ottoman military reform efforts begin with Selim III (1789–1807) who made the first major attempts to modernize the army along European lines. These efforts, however, were hampered by reactionist movements primarily from the Janissary corps, who had become anarchic and ineffectual. Protective of their privileges and firmly opposed to change created a Janissary revolt. Selim's efforts cost him his throne and his life, but were resolved in spectacular and bloody fashion by his successor, the dynamic Mahmud II, who massacred the Janissary corps in 1826 (İpşirli 1999; Akşin 1988; Finley 1980).

Decline and Modernization (1828–1908)

The empire lost territory on all fronts, and there was administrative instability because of the breakdown of centralized government, despite efforts of reform

and reorganization such as the Tanzimat (Seyitdanlıoğlu 1994, 2004). The rise of nationalism swept through many countries during the 19th century, and the Ottoman Empire was not immune. A burgeoning national consciousness, together with a growing sense of ethnic nationalism, made nationalistic thought one of the most significant Western ideas imported to the Ottoman Empire, as it was forced to deal with nationalism-related issues both within and beyond its borders. There was a significant increase in the number of revolutionary political parties. Uprisings in Ottoman territory had many far-reaching consequences during the 19th century and determined much of Ottoman policy during the early 20th century. Many Ottoman Turks questioned whether the policies of the state were to blame: some felt that the sources of ethnic conflict were external, and unrelated to issues of governance (Çetinsaya 2007; İpşirli 1999; Akşin 1988).

While this era was not without some successes, the ability of the Ottoman state to have any effect on ethnic uprisings was seriously called into question. Greece declared its independence from the Empire in 1829 after the end of the Greek War of Independence. Reforms did not halt the rise of nationalism in the Danubian Principalities and Serbia, which had been semi-independent for almost 6 decades; in 1875 Serbia, Montenegro, Bosnia, Wallachia and Moldova declared their independence from the Empire; and following the Russo-Turkish War of 1877-78, independence was formally granted to Serbia, Romania, and Montenegro, and autonomy to Bulgaria, with the other Balkan territories remaining under Ottoman control (Kunt 1988; Jelavich 1983).

Mahmud II started the modernization of Turkey by preparing the Edict of Tanzimat in 1839 which had immediate effects such as European style clothing, European agricultural innovations, western weapons, architecture, legislation, institutional organization, and land reform. During the Tanzimat period (reorganization) (1839-1876), a series of constitutional reforms led to a fairly modern conscripted army, banking system reforms, and the replacement of guilds with modern factories. In 1856, the Hatt-ı Hümayun promised equality for all Ottoman citizens irrespective of their ethnicity and confession, widening the scope of the 1839 Hatt-ı Şerif of Gülhane. The reformist period peaked with the Constitution, called the Kanûn-ı Esâsi, written by members of the Young Ottomans, which was promulgated on 23 November 1876. It established freedom of belief and equality of all citizens before the law (Seyitdanlıoğlu 1994).

The empire's First Constitutional era -Birinci Meşrûtiyet Devri- was short-lived; however, the idea behind it (Ottomanism), proved influential as a wide-ranging group of reformers known as the Young Ottomans, primarily educated in Western universities, believed that a constitutional monarchy would provide an answer to the empire's growing social unrest. Through a military coup in 1876, they forced Sultan Abdülaziz (1861-1876) to abdicate in favor of Murad V. However, Murad V was mentally ill, and was deposed within a few months. His heir-apparent Abdülhamid II (1876-1909) was invited to assume power on the condition that he would accept the establishment of a constitutional monarchy,

which he did on 23 November 1876. However, the parliament survived for only two years. The sultan suspended, not abolished, the parliament until he was forced to reconvene it. The effectiveness of Kanûn-ı Esâsi was then largely minimized.

During this time, the Empire faced challenges in defending itself against foreign invasion and occupation. Egypt was occupied by the French in 1798. Following defeat in the Russo-Turkish War of 1877-78, Cyprus was loaned to the British in 1878 in exchange for Britain's favors at the Congress of Berlin. The empire ceased to enter conflicts on its own and began to forge alliances with European countries such as France, the Netherlands, the United Kingdom, and Russia. As an example, in the Crimean War the Ottomans united with the British, French, and others against Russia. Economically, the empire had difficulty in repaying the Ottoman public debt to European banks, which caused the establishment of The Council of Administration of the Ottoman Public Dept. Despite the empire's label as the "Sick man of Europe," the empire's actual weakness did not reside in its developing economy, but the cultural gap which separated it from the European powers. The empire's troubled socioeconomics during the Ottoman reformation era were, in fact, the result of an inability to deal with the new problems created by the conflict between external imperialism and rising internal nationalism.

Dissolution (1908-1922)

The Second Constitutional Era -İkinci Meşrûtiyet Devri- marks the period of the Ottoman Empire's final dissolution. This era is dominated by the politics of the Committee of Union and Progress -İttihâd ve Terakki Cemiyeti-, and the movement that would become known as the "Young Turks" -Jön Türkler-. The Young Turk Revolution began on 3 July 1908 and quickly spread throughout the empire, resulting in the sultan's announcement of the restoration of the 1876 constitution and the reconvening of parliament. The constitutional era had a lapse between Countercoup (1909) and the counter-revolution 31 March Incident that ended with the sultan Abdulhamid II deposed, and sent to exile in Selanik, and replaced by his brother Mehmed V. Reşad (Akşin 1988).

The new Balkan states which were formed at the end of the 19th century sought additional territories from the Ottoman provinces of Albania, Macedonia, and Thrace, on the grounds of ethnic nationalism. Initially, with Russia acting as an intermediary, agreements were concluded between Serbia and Bulgaria in March 1912 and between Greece and Bulgaria in May 1912. Montenegro subsequently concluded agreements between Serbia and Bulgaria in October 1912. The Serbian-Bulgarian agreement specifically called for the partition of Macedonia, which was the chief *casus belli* of the First Balkan War. The main causes of the Second Balkan War were disputes between the former Balkan allies

over their newly gained territories; this then gave the Ottomans an opportunity to regain lost territories in Thrace. The political repercussions of the Balkan Wars led to the coup of 1913, and the subsequent rule of the Three Pashas (McCarthy 2001).

World War I & Partition

The Ottoman Empire took part in the Middle Eastern theatre of World War I, under the terms of the Ottoman-German Alliance. The Ottomans managed to win important victories in the early years of the war, particularly at the Battle of Gallipoli and the Siege of Kut; but there were setbacks as well, such as the disastrous Caucasus Campaign against the Russians. The Russian Revolution of 1917 gave the Ottomans the opportunity to regain lost ground and Ottoman forces managed to take Azerbaijan in the final stages of the war, but the Empire was forced to cede these gains at the end of World War I. The eventual Ottoman defeat came from a combination of coordinated attacks on strategic targets by British forces and the Arab Revolt of 1916–18. The latter was a major cause of the Ottoman Empire's defeat. Campaigns within the Arabian Revolt started with the Battle of Makkah by Sherif Hussain of Mecca with the help of Britain in June 1916, and ended with the Ottoman surrender of Damascus.

Partitioning of the Ottoman Empire took place in the aftermath of World War I. The empire was forced to submit to a complete partition. The process began with the signing of the Armistice of Mudros on 30 October 1918, followed 13 days later with the occupation of Istanbul; under the shadow of Turkish Courts-Martial of 1919-20 and the Malta exiles, followed by the subsequent Treaty of Sèvres (McCarthy 2001). The Treaty led to partition of Turkey's Middle Eastern territories under the mandate of Britain and France, the Turkish Mediterranean coast was ceded to Italy, the Turkish Aegean coast to Greece, and the Turkish Straits and Sea of Marmara to the Allied powers as an international zone. The Treaty also led to the recognition of the Wilsonian Armenia.

The occupation of Istanbul along with the occupation of Izmir mobilized the establishment of the Turkish national movement, and led to the Turkish War of Independence -Kurtuluş Savaşı- and the foundation of the Republic of Turkey. The Turkish national movement, under the leadership of Mustafa Kemal (Atatürk) led to the creation of the Grand National Assembly -Büyük Millet Meclisi- in Ankara on 23 April 1920. Turkish revolutionaries raised a 'people's army' and expelled the invading Greek, Italian, and French forces. They reclaimed the Turkish provinces which had been given to the Republic of Armenia within the Treaty of Sèvres, and threatened the British forces controlling the Straits. Turkish revolutionaries eventually reclaimed the Straits and Istanbul, and abolished the Ottoman sultanate on 1 November 1922. The Republic of Turkey was officially declared with the Treaty of Lausanne on 24 July 1923. The

Caliphate was constitutionally abolished several months later, on 3 March 1924 (Mansfield 1991; Davison 1968).

The fall of the Ottoman Empire can be attributed to the failure of its economic structure; the size of the empire created difficulties in economically integrating its diverse regions. Also, the empire's communication technology was not developed enough to reach all territories. In many ways, the circumstances surrounding the Ottoman Empire's fall closely paralleled those surrounding the fall of the Roman Empire, particularly in terms of the ongoing tensions between the empire's different ethnic groups, and the various governments' inability to deal with these tensions. In the case of the Ottomans, the introduction of a parliamentary system during the Tanzimat proved too late to reverse the trends that had been set in place.

CHAPTER 2

ADMINISTRATIVE SYSTEM IN THE OTTOMAN STATE

The Ottoman State or Ottoman Caliphate (1299–1922)³ was a multi-ethnic and multi-religious state. At the height of its power (16th-17th century), it spanned three continents, controlling much of Southeastern Europe, the Middle East and North Africa, stretching from the Strait of Gibraltar- the Atlantic coast of Morocco beyond Gibraltar 1553 -in the west to the Caspian Sea and Persian Gulf in the east; from the edge of Austria, Slovakia and parts of Ukraine in the north to Sudan, Eritrea, Somalia, and Yemen in the south. The Ottoman Empire contained 29 provinces, in addition to the tributary principalities of Moldavia, Transylvania, and Wallachia. The empire was at the centre of interactions between the Eastern and Western worlds for six centuries. The Ottoman Empire was in many respects an Islamic successor to earlier Mediterranean empires namely the Roman and Byzantine empires. As such, the Ottomans regarded themselves as the heirs to both Roman and Islamic traditions, and hence rulers of a “Universal Empire” through this unification of cultures (Goffman 2002; İnalcık 1994; Heper 1985; Ortaylı 1979; Lybyer 1966). The Ottomans inherited a rich mixture of political traditions from vastly disparate ethnic groups: Turks, Persians, Mongols and, of course, they were also influenced by Islam.

Observance of Government

The Sultan's job was primarily to keep a watch on all the officials. In some cases, this observance of government involved the personal involvement of the Sultan. He would sometimes observe in secret the proceedings of the Divan, which was the central advisory group to the Sultan, and sometimes observe the proceedings of the ulama courts. Periodically, the Sultan was required to tour local governments in disguise to ensure that magistrates and justices were operating justly. If the Sultan believed that an injustice was being committed against the people, he would interfere directly and overturn the decision.

³ Devlet-i Âliye-yi Osmâniyye, Osmâniyye Devleti, or Osmâni İmparatorluğu.

Politics & Society

Public agents and officials that abused their power and the peasantry were subjected to a special jurisdiction called the *siyaset*. The *siyaset* were a set of severe punishments imposed by the Sultan on corrupt officials; there was no way out, no cash compensation could take the place of the corporeal or, more often, capital punishments swiftly meted out to corrupt officials. In the *siyaset* system, the most severe crimes involved illegal taxation or forced labor of the peasantry, staying in their homes without permission or billeting troops without permission, and requiring peasants against their will to provide food for them or for soldiers. Such crimes almost certainly meant the death penalty.

Public Declaration of Laws and Taxes

In order to prevent fraudulent taxes and arbitrary laws by public officials, the Sultanic 'orders' -*ferman*- and taxes were declared and posted in public. There was, then, always dissemination of central government to the people directly.

Perhaps the most important aspect of Ottoman centralized government was universal access to centralized authority. The highest reach of power -with the exception of the person of the Sultan- was available to each and every citizen. Every single member of Ottoman society could approach the Imperial Council with grievances against government officials; these official petitions were called '*ard-i mahdar*' and were always treated with the utmost seriousness. If the Imperial Council ruled against the officials, they would often be subjected to the *siyaset*.

In the Ottoman state, public opinion was regarded as the only true foundation on which state authority rested. If the people ceased to support their rulers, it was argued, then the rulers would soon fall from power. In addition to prosecuting corrupt government officials and publicly declaring taxes and laws, the Ottoman government also cultivated public opinion in its wars of conquest (Davison 1968). Soldiers were not allowed to mistreat peasants nor take anything from them without their permission or reimbursement. All the Ottoman wars of conquest in the sixteenth century were assiduously planned years in advance. The government would lay up stores of supplies all along the campaign route so that the armies could feed themselves without taking anything from the general population. The Ottoman conquerors believed that no conquest could stand without the goodwill of the general population of the conquered, so military campaigns were remarkably fair and easy on the average person. The Ottomans also paid attention to an early form of public opinion polling and were probably the first government to actively monitor public opinion through quantifiable means. The 'opinion poll' that they used was the Friday prayers. In most Islamic states, one of the aspects of Friday prayer is to pray for the welfare and life of the

ruler. This is an optional part of the Friday prayer, so its inclusion generally means that the members of the mosque think well of the ruler. Its omission frequently means the opposite. The Ottomans paid very strict attention to Friday prayers throughout the Empire in order to precisely gauge public sentiments.

The Structure of Government

The state organization of the Ottoman Empire was a very complex system that had two main dimensions: the military administration and the civic administration. The Sultan was the highest position in the system. The civic system was based on local administrative units based on a region's characteristics. The Ottomans practiced a system in which the state had control over the clergy, like the Byzantine. Certain pre-Islamic Turkish traditions that had survived the adoption of administrative and legal practices from Islamic Iran remained important in Ottoman administrative circles (Çimen 2007; Fleischer 1986; Ortaylı 1979). According to Ottoman understanding, the state's primary responsibility was to defend and extend the land of the Muslims and to ensure security and harmony within its borders within the overarching context of orthodox Islamic practice and dynastic sovereignty.

The Ottoman dynasty was ethnically Turkish in its origins, as were some of its supporters and subjects; however the dynasty immediately lost this 'Turkic' identification through intermarriage with many different ethnicities (Inalcık 1973; Quataert 1995). There were only two attempts in the whole of Ottoman history to unseat the ruling Osmanlı dynasty, both failures, which is suggestive of a political system which for an extended period was able to manage its revolutions without unnecessary instability.

The highest position in Islam, caliphate, was claimed by the sultan, who thus established the Ottoman Caliphate. The Ottoman sultan, *pâdişâh*, served as the empire's sole regent and was considered to be the embodiment of its government, though he did not always exercise complete control. New sultans were always chosen from among the sons of the previous sultan. The strong educational system of the palace school was geared towards eliminating unfit potential heirs, and establishing support amongst the ruling elite for a successor.

The Divan, in the years when the Ottoman state was still a Beylik, was composed of the elders of the tribe. Its composition was later modified to include military officers and local elites (such as religious and political advisors). Later still, beginning in 1320, a Grand Vizier was appointed in order to assume certain of the sultan's responsibilities. The Grand Vizier had considerable independence from the sultan with almost unlimited powers of appointment, dismissal and supervision. Beginning with the late 16th century, sultans became withdrawn from politics and the Grand Vizier became the *de facto* head of state (Black 1991). Throughout Ottoman history, there were many instances in which local

governors acted independently, and even in opposition to the ruler. After the Young Turk Revolution of 1908, the Ottoman state became a constitutional monarchy. The sultan no longer had executive powers (Karpat 1972). A parliament was formed, with representatives chosen from the provinces.

The rapidly expanding empire utilized loyal, skilled subjects to manage the empire, whether Albanians, Phanariot Greeks, Armenians, Serbs, Bosniaks, Hungarians or others. The incorporation of Greeks (and other Christians), Muslims, and Jews revolutionized its administrative system. This eclectic administration was apparent even in the diplomatic correspondence of the empire, which was initially undertaken in the Greek language to the west (İpşirli 1999; Quataert 1995; Wright 1935).

The Sultan also assumed the title of Caliph, or supreme religious leader. The Ottomans claimed this title for several reasons: the two major holy sites, Mecca and Medina, were part of the Empire, and the primary goal of the government was the security of Muslims around the world, particularly the security of the Islamic pilgrimage to Mecca. Almost all of the military conquests and annexations of other countries were done for one of two reasons: to guarantee the safe passage of Muslims to Mecca (the justification for invading non-Muslim territories) and the rooting out of heterodox or heretical Islamic practices and beliefs (the justification for invading or annexing Muslim territories).

Although the Sultan was regarded as personally responsible for every government decision, in reality the government was run by a large bureaucracy (Weiker 1968). This bureaucracy was controlled by a rigid and complex set of rules, and the Sultan himself was constrained by these rules (Heper 1976, 1974). At the top of the bureaucracy was the Divan, which served as a cabinet to the Sultan for making decisions. The most powerful member of the Sultan's government was the Grand Vizier (akin to a modern prime minister) who largely oversaw all the executive functions of the government. Appointments to these positions were not arbitrary but followed strict rules.

State Organization of the Ottoman Empire

The Ottoman Empire developed a highly advanced organization of state over the centuries. Even though it had a very centralized government with the Sultan as the supreme ruler, it had an effective control of its provinces and citizens, as well as its officials. Wealth and rank was not necessarily something one inherited, rather it had to be earned. Positions were perceived as titles such as viziers and ağas. Military service was a key to advancement in the hierarchy.

Governance

With the expansion of the Empire, the need for more systematic administrative organization arose. Over time a dual system of military -Central System- and civil administration -Provincial Governing- developed a kind of separation of powers with higher executive functions carried out by the military authorities and judicial and basic administration duties carried out by civil authorities. Outside this system were various types of vassal and tributary states (İpşirli 1999; Özbudun 1966).

The empire was divided into vilayets to each of which was assigned a governor. The concept of the vilayet originated from the Seljuk vassal state (Uç Beyliği) in central Anatolia. When the Empire, over time, became an amalgamation of pre-existing polities, the Anatolian Beyliks, which were gradually brought under the sway of the ruling House of Osman. This extension was based on an already established administrative structure of the Seljuk system in which the hereditary rulers of these territories were known as Beys. Those Beys (local leaders), who were not eliminated, continued to rule under the suzerainty of the Ottoman sultans. The term Bey came to be applied not only to these former rulers but also to new governors appointed where the local leadership had been eliminated (Çimen 2007; Keleş 2000).

The Ottoman Empire was, at first, subdivided into the sovereign's sanjak and other sanjaks entrusted to the Ottoman Sultan's sons. Sanjaks were governed by Sanjak Beys, military governors who received a flag or standard – a 'Sanjak' (the literal meaning) – from the sultan. As the Empire expanded into Europe, the need for an intermediate level of administration arose and, under the rule of Murad I (r. 1359-1389), a Beylerbeyi or governor-general was appointed to oversee Rumelia, the European part of the empire. About the same time a Beylerbeylik was also established for Anatolia, excluding however the Rum area around Amasya, then the seat of the Empire, which remained under the sultan's direct control (usually through his grand vizier). Following the establishment of beylerbeyliks, sanjaks became second-order administrative divisions, although they continued to be of the first order in certain circumstances such as newly conquered areas that had yet to be assigned a Beylerbeyi. In addition to their duties as governors-general, beylerbeyis were the commanders of all troops in their province (Çimen 2007; Kılıç 1999; Ortaylı 2000 & 1979; Heper 1980).

Central Administration System

The central system was composed of the Sultan and his own staff (book keepers, etc) within what was known as the 'House of Osman.' The House of Osman was advised by the Divan which was comprised the Grand Vizier and the ruling class (nobles). The ruling class was called the askeri, and included

noblemen, court officials, military officers, and the religious class called the ulema.

The Divan

Though the sultan was the sublime monarch he had a number of advisors and ministers. The most powerful of these were the viziers of the Divan, led by the Grand Vizier. The Divan was a council where the viziers met and debated the politics of the empire. It was the Grand Vizier's duty to inform the sultan of the opinion of the divan. The sultan often took his vizier's advices into consideration, but he by no means had to obey the divan. Sometimes the sultan called a divan meeting himself if he had something important to inform his viziers of, such as a plan to go to war. The viziers then carried out his orders. The divan consisted of three viziers in the 14th century and eleven in the 17th century, of whom four served as Viziers of the Dome, the most important ministers after the Grand Vizier. Sometimes the commander -ağa- of the Janissaries attended divan meetings as well. The viziers were the core of the nobles. In addition, the viziers had their own advisers called the Kahya. Other noble families inhabited Istanbul and often visited the court during parties or ceremonies. The clergy was another prominent part of the court. The muftis and imams were always present at religious ceremonies. The müteferrika was a sort of young nobleman's club, where the sons of effendis, pashas, and other notables got together. They often accompanied the sultan when he went out hunting.

Ottoman Ministers

The Minister -Nazır- had not as much influence over the sultans as the viziers, but controlled a Ministry -Nezaret-. The ministries and departments were important parts of the Ottoman bureaucracy. The ministries also supplied the viziers with whatever information they required. The most important minister was the minister of justice, the Adliye Nazırı, whose ministry included the civil judges -Kadis- and the military judges -Kadiaskers or Kaziaskers- who were the highest judicial authority of the Empire after the Seyhulislam, the supreme religious leader of the ulema (Türe 2000; Halaçoğlu 1998). Other officials within a ministry included the Kethüdar, a representative of the ministry and assistant to the minister with several clerks -Kalfas- under him. The Kalfas did all the paper-work in the Ottoman bureaucracy.

For each military corps there was a Nazır who had the administrative power. Under him was the Ağa who had the ceremonial command of the corps. There was also a corps of palace guards -Zuluflu- under the command of the Swordmaster and palace gardeners -Bostancı- who also were responsible for the Sultan's barges. Those taught in European etiquette and language (mainly

French) served as Yasakçı, guards for foreign ambassadors. Also stationed near the palace were the Six Divisions of Cavalry -Altı Bölük- and, of course, the Janissaries.⁴

Provincial Governance (Civil Administration)

The modern Turkish term *kaymakam* or *kaimakam* for a district governor originally comes from two Arabic words as used in Ottoman Turkish: *kâim*, meaning 'in the place of,' and *makâm*, originally used for 'place' but, in this context, used with the sense of 'office,' 'position,' or 'state' (Çimen 2007; İpşirli 1999). Thus, in Ottoman times, a *kâim-makâm* was a state officer who was considered a representative of the sultan at a local level; today, a *kaymakam* is a representative of the government at a local level. In the Ottoman army, the title of *kaymakam* came to be used for a lieutenant colonel; it was also applied to naval commanders in the same context (Çimen 2007). Mustafa Kemal (Atatürk) also served as a *kaymakam* for the 57th regiment in the Battle of Gallipoli. Today, district governors are an important group because they form a crucial link between the central administration and the public. The district governors are vital in the context of communication with the public and for the implementation of specific programs at the town and village level (Ross 1969; Mihcioglu 1962).⁵

Civil and judicial administration was carried out under a separate parallel system of small municipal or rural units called *kazas* administered by a *qadi* - *kadi*. *Kazas* in turn were subdivided into *nahiyyas*. The *qadis* came from the *ulema* and represented the legal authority of the Sultan. *Kadis* had several aids to assist them in the business of local government. *Muhtesips*, for example, helped *kadis* to control businesses and kept public order. *Muhtesips* had also a function of correction - asking for good deeds and prohibiting misconducts of businessmen (Eryılmaz 2002; Sunay 2000; Tortop 1991).⁶ A neighborhood administration -*Mahalle*- was the smallest local government unit headed by an *Imam* who reported directly to the *Kadi*. The *Imams*' main roles were distributing and collecting taxes determined by the central government (Ortaylı 2000). *Kadis* became weak with the Tanzimat reforms. These changes changed the role of the *Imam* as head of the *Mahalles*. The civil system also functioned as a control over the military system since *Beys* (who represented executive authority) could not

⁴ The Imperial Government was added during the Second Constitutional Era. The Committee of Union and Progress (CUP) was in the power; most of the ministers were from CUP.

⁵ District governors and graduates of the administrative section are more likely to be from less developed regions and from smaller towns than are other graduates. One important reason for the lack of popularity of the administrative section is that the Turkish district governor's position, particularly as the system becomes increasingly politicized, is one of declining prestige and attractiveness.

⁶ *Wakifs* and *Loncas*, as local civil society organizations, have also played significant roles in providing local services (Toprak 2006).

carry out punishment without a sentence from a Kadi. Likewise, Kadis were not permitted to personally order punishment. In the context of law, Kadis were responsible directly to the sultan. After the establishment of Tanzimat, millets gained their own selected councils headed by a muhtar (elected) and elected elders -ihtiyar heyeti- (Ortayli 2000). The first municipal government was formed in 1854 (August 16) in Istanbul (İstanbul Şeh-remaneti) (Türe 2000).

Under Ottoman rule the major religious groups were allowed to establish their own self-governing communities, called millets, each retaining its own religious laws, traditions, and language under the general protection of the sultan. Millets were led by religious chiefs, who served as secular as well as religious leaders and thus had a substantial interest in the continuation of Ottoman rule. On a local level cities and villages belonging to a millet were allowed to keep their power micro-structures that would signify a level of 'autonomy,' e.g. the Greek villages and cities were up to a point being steered by councils of 'Elders (religious)' that had the responsibility of representing their people to the region's Pasha just as had been the case during the late Byzantine years.

The Ottoman Empire had many vassal states of varying size. Vassal states paid taxes to the sultan and often contributed troops to various Ottoman military campaigns. Many of the imperial provinces were vassal states before being reduced to provinces. A vassal state that never became a province was the Khanate of Crimea in the region around Crimea, north of the Black Sea - it would fall to Russia instead (1774-83; later becoming modern Ukraine). As the empire weakened militarily, it would inevitably lose control as a result of foreign victories (Russia took large chunks of territory; the Christian empires helped even more parts of the Balkans secede, often after a vassallic stage, such as the hospodars) but also see real control over some of its (mainly remote) provinces slip away to a state of little more than formal sovereignty over tributary, de facto autonomous states. This happened in North Africa: the Beys/Deys of Tunis and Algiers established themselves as 'regencies' and even Egypt went its own way under its great khedive Mohammed Ali - they would in turn be subjected to the European colonial dominance of France and Britain.

Palace School

New sultans were always chosen from among the sons of the previous sultan. The strong educational system of the palace school was geared towards eliminating unfit potential heirs, and establishing support amongst the ruling elite for a successor. Palace schools were not a single track, but two. First, the Madrasa -Ottoman Turkish: Medrese- for the Muslims, which educated scholars and state officials in accordance with Islamic tradition. The financial burden of the Medrese was supported by vakifs, giving children of poor families access to social mobility and higher incomes. The second track was a free-boarding school,

the Enderûn, which recruited 3,000 students annually from Christian boys aged between 8 and 20, taken from one in every forty families of the communities settled in Rumelia and/or the Balkans; a process known as Devshirmeh - Devşirme-. Orphans, single children, married boys, Jews, Russians, and shepherd's sons were exempted (Necipoğlu 1991; Ortaylı 1979). The apprenticeship began in the Sultan's services; progressing to mastering natural and Islamic sciences (formal education); and finally to developing physical fitness, and vocational or artistic skills.

Enderun School

Enderun or Enderûn which meant 'inner most' was a free-boarding school for the Christian Millet of the Ottoman Empire, which recruited students among Devshirmeh, -Ottoman Turkish: Devşirme- (Inalcık 1994). The Enderun was fairly successful in this trans-culturation of students, and many statesmen were products of this process. The Enderun School functioned strictly for bureaucratic purposes and (ideally) the graduates were permanently devoted to government service and had no interest in forming relations with lower social groups. The incoming students were called the inner boys. Their professional development took exactly seven years from entry to graduation. Some of the most talented Devshirmeh worked in Topkapı Palace, where they were trained for high positions within the Divan or the military.

In-service training consisted of going through seven consecutive grades -levels in Turkish chambers, or gates-. The first one was called 'the little room' in which students were trained in respect, resourcefulness, reliability and concentration; the second one was the 'big room,' where students began to acquire specialized skills. As they developed they progressed through the 'hawk' -taking care of the Sultan's hunting birds/animals-, the wardrobe -in charge of clothing-, the 'butler' -catering-, the 'treasury' -the Sultan's valuables- and the last one 'private' -hass-being in charge of the Sultan's daily activities.

Military of the Ottoman Empire

Ottoman Army

The first military unit of the Ottoman State was an army that was organized by Osman I from tribesmen inhabiting western Anatolia in the late 13th century. The military system became an intricate organization with the advance of the Empire.

Janissary: Infantry units recruited at a very young age from non-Muslim ethnic groups within the empire and raised as Muslim Turkish warriors; also forming the Sultan's household troops and bodyguard.

Sipahi: Elite cavalry knights who were granted timars -fiefs- throughout the empire's lands. Their alternative name was *Tımarlı Sipahi* -Enfiefed Knight-.

Akinci: Frontline cavalry units of the Ottoman Army which raided and scouted the border areas and outposts.

Mehterân: Ottoman Army Band which played martial tunes during military campaigns. The mehterân was usually associated with the Janissary corps.

The Ottoman army was once among the most advanced fighting forces in the world, being one of the first to employ muskets. The Ottoman cavalry used bows and short swords and often applied nomad tactics similar to those of the Mongol Empire; such as pretending to retreat while surrounding the enemy forces inside a crescent-shaped formation and then making the real attack. The modernization of the Ottoman Empire in the 19th century started with the military. In 1826 Sultan Mahmud II abolished the Janissary corps and established the modern Ottoman army, which he named as the *Nizam-ı Cedid* -New Order-. The Ottoman army was also the first institution to hire foreign experts and send its officers for training in western European countries (Levy 1982).

The conquest of İmralı Island in the Sea of Marmara in 1308 marked the first Ottoman naval victory. In 1321 the Ottoman fleet made its first landings on Thrace in southeastern Europe, and vastly contributed to the expansion of the empire's territories on the European continent. The Ottoman navy was one of the first to use cannons, and the Battle of Zonchio in 1499 went down to history as the first naval battle where cannons were used on ships. It was also the Ottoman navy which initiated the conquest of North Africa, with the addition of Algeria and Egypt to the Ottoman Empire in 1517. The Battle of Preveza in 1538 and the Battle of Djerba in 1560 marked the apex of Ottoman naval domination in the Mediterranean Sea. The Ottomans also confronted Portuguese forces based in Goa on the Indian Ocean in numerous battles between 1538 and 1566. In 1553, the Ottoman admiral Salih Reis conquered Morocco and the lands of North Africa beyond the Strait of Gibraltar, extending Ottoman territory to the Atlantic Ocean. In 1566 the Sultan of Aceh asked for support against the Portuguese and declared allegiance to the Ottoman Empire, which sent its Indian Ocean fleet under Kurtoğlu Hızır Reis to Sumatra. The fleet landed at Aceh in 1569, and the event marked the easternmost Ottoman territorial expansion. The overseas territorial acquisitions of the Ottoman Navy further expanded the extent of the Ottoman sphere of influence on distant lands in both the Indian and Atlantic oceans, such as the addition of Aceh (1569) as a vassal state to the Ottoman Empire, and temporary occupations like those of Lanzarote (1585), Madeira (1617), Vestmannaeyjar (1627) and Lundy (1655-1660) (Navy n.d.).

The Ottoman Air Force was founded in June 1909, making it one of the oldest combat aviation organizations in the world. Its formation came about after the Ottoman Empire sent two Turkish pilots to the International Aviation Conference in Paris. After witnessing the growing importance of an air combat support branch, the Ottoman government decided to organize its own military aviation program. For this purpose, officers were sent to Europe by the end of 1910 to participate in the study of combat flight. However, because of bad living conditions, the student program was aborted and the trainees returned to Turkey in early 1911. Despite being without any government guidelines for establishing an air force, the Ottoman Minister of Defence of the time, Mahmut Şevket Paşa, continued to encourage the idea of a military aviation program and sent officers Fesa and Yusuf Kenan, who achieved the highest maneuvering points in a piloting test conducted in 1911, to France to receive flight education. In late 1911 Süreyya İlmen was charged with founding the Aviation Commission attached to the War Ministry Science Detachment General Inspectorship. On February 21, 1912, Fesa and Yusuf Kenan completed their flight education and returned home with the 780th and 797th French aviation diplomas. In the same year, eight more Turkish officers were sent to France for flight education.

The Ottoman Empire started preparing its first pilots and planes, and with the founding of the Air Academy in Istanbul on July 3, 1912, the empire began to tutor its own flight officers. The founding of the Air Academy accelerated the military aviation program, increased the number of enlisted persons within it, and gave the new pilots an active role in the Armed Forces. In May 1913 the world's first specialized Reconnaissance Training Program was activated by the Air Academy and the first separate Reconnaissance division was established by the Air Force. The Ottoman Air Force fought on many fronts during the First World War, from Galicia in the west to the Caucasus in the east and Yemen in the south. Efforts were made to reorganize the Ottoman Air Force, but this ended in 1918 with the end of the First World War and the occupation of Istanbul.

The chapter has presented a brief history of, and changes to the administrative system. The following part of the book will analyze the major functions of central government, the constitutional framework of the Turkish public administration system, and its impact on the public administration and its structure. The three major functions of the government: legislative, judicial, and executive will also be considered.

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PART III

POLITICAL SYSTEM AND PUBLIC ADMINISTRATION IN TURKEY

The most important issue that needs to be dealt with prior to conducting reforms in Turkey is the expedition of a transformation process from a centrally administered bureaucratic society model to a participatory and conciliatory social structure as seen in advanced democratic countries. Not having been successful in administrative maturation since 1982, Turkey seems to be on the offensive as the 21st century ushers in. In this chapter we aim to analyze the political system of the country and its impact on the Turkish public administration system.

CHAPTER 1

POLITICAL SYSTEM OF TURKEY

The present constitution was adopted in November 1982 and amended in 1987, 1993, 1995, 1999, 2001, 2004, 2005, 2006 and 2007 (TBMM 1982; Office of the Prime Minister Directorate General of Press and Information 1982). The Turkish state is characterized and defined as a Republic by the constitution (Article 1). The Constitution also defines the Republic as a "democratic, secular, and social state governed by the rule of law; bearing in mind the concepts of public peace, national solidarity and justice; respecting human rights; loyal to the nationalism of Atatürk, and based on the fundamental tenets set forth in the Preamble" (Article 2). These are the fundamental characteristics of the Turkish Republic. The compliance of the laws with the Constitution is the responsibility of the Constitutional Court; the operations and actions of the administration come under the supervision of Administrative Courts.

Under the Constitution, sovereignty is vested fully and unconditionally in the nation. The nation exercises its sovereignty through the authorized organs as prescribed by the principles laid down in the Constitution. Exercising sovereignty cannot be delegated to any individual, group or class. No person or agency can exercise any state authority which does not emanate from the Constitution (Article 6).

The type of democracy envisaged by the Constitution is a representative democracy. "Legislative power is vested in the Turkish Grand National Assembly on behalf of the Turkish Nation. This power cannot be delegated" (Article 7). "Executive power and function shall be exercised and carried out by the President of the Republic and the Council of Ministers in conformity with the Constitution and the law" (Article 8). And, "Judicial power shall be exercised by independent courts on behalf of the Turkish Nation" (Article 9).

Constitutional Principles of the State

Fundamental Tenets Set Forth in the Preamble: The Article 176 of the Constitution states that the “preamble, which states the basic views and principles underlying the Constitution, shall form an integral part of the Constitution”. Fundamental tenets set forth in the Preamble to the Constitution are:

- The concept of nationalism and the reforms and principles introduced by the founder of the Republic of Turkey, Atatürk,
- The eternal existence of the Turkish nation and motherland and the indivisible unity of the Turkish state,
- To attain the standards of contemporary civilization as an honorable member with equal rights of the family of world nations, and
- All Turkish citizens are united in national honor and pride, in national joy and grief, in their rights and duties regarding national existence, in blessings and in burdens, and in every manifestation of national life, and that they have the right to demand a peaceful life based on absolute respect for one another's rights and freedoms, mutual love and fellowship and the desire for and belief in “Peace at home, peace in the world”.

Republicanism as a Form of the State: “The Turkish State is a Republic” (Article 1). A Republic is a form of state in which the head of state is not determined by heredity. Sovereignty in Republics is vested not in an individual or group, but in community/society as a whole.

Unitary State: The Constitution is based upon the model of a unitary state. “The Turkish state, with its territory and nation, is an indivisible entity” (Article 3). A Unitary state is one in which the state is unitary in all aspects of its country, nation and sovereignty.

Respect for Human Rights: The doctrine of state concerning respect for human rights (Article 2) expounds that the state behave in a respectful, moderate and considerate manner in the context of human rights due to their value, superiority and divinity.

Being Loyal to the Nationalism of Atatürk: A nation is a community comprised of people with common goals and sentiments. And Article 66 of the Constitution states that “everyone bound to the Turkish state through the bond of citizenship is a Turk.”

Democratic State: The Republic of Turkey is a democratic (Article 2) state. A democratic state is a state characterized by its ideals and practices of democracy, and by its efforts to upgrade the practice of democratic values and standards to a contemporary level.

Secularism: Secularism is a principle which holds that basic social, economic, political and legal order of the State may not even partially rely on religious rules. No one can misuse religious beliefs and sacred tenets of religion with the objective of obtaining political or personal advantages or influence. A secular state also recognizes and protects the freedom of religion and belief but, itself, has no official religion.

Social State: In accordance with the principle of a social state, the State is obliged to protect socially weak and powerless individuals against the powerful and to provide social justice and social security.

Rule of Law: A constitutional state is a state in which the rights of the citizens are protected. This doctrine describes the conformity of all state practices and procedures with and dependence of the executive, legislative and judiciary on the law.

Integrity of the State, Official Language, Flag, National Anthem, and Capital: Article 3 of the Constitution states that "the Turkish state, with its territory and nation, is an indivisible entity. Its official language is Turkish. Its flag, the form of which is prescribed by the relevant law, is composed of a white crescent and star on a red background. Its national anthem is the 'Independence March', and its capital is Ankara".

Fundamental Aims and Duties of the State: The fundamental aims and duties of the state are described in Article 5 of the Constitution: Safeguarding the independence and integrity of the Nation, the indivisibility of the country, the Republic and democracy; ensuring the welfare, peace, and happiness of the individual and society; striving for the removal of political, social and economic obstacles which restrict fundamental rights and freedoms; and providing the conditions required for the development of the individual's material and spiritual existence.

Sovereignty: "Sovereignty is vested fully and unconditionally in the Nation. The Turkish Nation exercises its sovereignty through authorized organs as prescribed by the principles laid down in the Constitution. The right to exercise sovereignty cannot be delegated to any individual, group or class. No person or agency shall exercise any state authority which does not emanate from the Constitution" (Article 6).

Legislative Power: "Legislative power is vested in the Turkish Grand National Assembly on behalf of the Turkish Nation. This power cannot be delegated" (Article 7).

Executive Power and Functions: "Executive power and functions are exercised and carried out by the President of the Republic and the Council of Ministers in conformity with the Constitution and the law" (Article 8).

Judicial Power: "Judicial power is exercised by independent courts on behalf of the Turkish Nation" (Article 9).

Equality Before the Law: Article 10 of the Constitution states that "all individuals are equal without any discrimination before the law, irrespective of language, race, color, sex, political opinion, philosophical belief, religion and sect, or any such considerations. Men and women have equal rights. The State has the obligation to ensure that this equality exists in practice. No privilege is granted to any individual, family, group or class. State organs and administrative authorities act in compliance with the principle of equality before the law in all their proceedings".

Supremacy and Binding Force of the Constitution: Article 11 states that the "provisions of the Constitution are binding rules for legislative, executive and judicial branches of the government. Laws cannot be in conflict with the Constitution."

Amendments of the Constitution

Article 4 of the Constitution is related to irrevocable provisions. According to the Article "the provision of Article 1 of the Constitution establishing the form of the state as a Republic, the provisions in Article 2 on the characteristics of the Republic, and the provision of Article 3 cannot be amended, nor their amendment be proposed."

Articles of the Constitution, with the exception of the above-mentioned clauses, may be amended. Article 175 states clauses on the amendment to the Constitution, participation in elections and Referendum. A constitutional amendment must be proposed in writing by at least one-third (184) of the total number of members of the Turkish Grand National Assembly (TGNA). Proposals to amend the Constitution are debated twice in a Plenary Session. The adoption of a proposal for an amendment requires a three-fifth (330) majority of the total number of members of the Assembly by secret ballot. The consideration and adoption of proposals for amendment to the Constitution is subject to the provisions governing the consideration and adoption of legislation, with the exception of the conditions set forth in this article. The President of the Republic may refer to the laws related to Constitutional amendments for further consideration. If the Assembly adopts the draft law referred by the President by a two-thirds majority, the President may submit the law to referendum.

The Constitution has been amended fourteen times since it was approved in 1982 (See Table 1). The majority of the constitutional amendments made are of the kind guaranteeing fundamental rights and freedoms and improving the democratic structure (Office of the Prime Minister, Directorate General of Press and Information 2007).

TABLE 1: AMENDMENTS TO THE CONSTITUTION*

Number of Law	Date Adopted	Amended Articles	Official Gazette Date and Number
3361	17 May 1987	67,75,175, Provisional 4	18 May 1987 - 19464 Repeating
3913	8 July 1993	133	10 July 1993 - 21633
4121	23 July 1995	The Preamble, 33,52,53,67,68,69,75,84, 85,93,127,135,149,171	26 July 1995 - 22355
4388	18 June 1999	143	18 June 1999 - 23729 Repeating
4446	13 August 1999	47, 125, 155	14 August 1999 - 23786
4709	3 October 2001	The Preamble, 13,14,19,20,21,22, 23,26,28, 31,33,34,36,38,40,41,46,49, 51,55,65,66,67,69,74,87, 89,94,100,118,149, Provisional 15	17 October 2001 - 24556 Repeating
4720	21 November 2001	86	1 December 2001 - 24600
4777	27 December 2002	76,78	31 December 2002 - 24980 Repeating
5170	7 May 2004	10,15,17,30,38,87, 90,131,143,160	22 May 2004 - 25469
5370	21 June 2005	133	23 June 2005 - 25854
5428	29 October 2005	130,160,161,162,163	9 November 2005 - 25988
5551	13 October 2006	76	17 October 2006 - 26322
5659	10 May 2007	Provisional 17	18 May 2007-26526
5678	31 May 2007	77,79,96,101,102	16 June 2007- 26554

* Since 1982, Turkish Grand National Assembly (TGNA),

Source: Turkish Republic Constitution, <http://www.tbmm.gov.tr/Anayasa.htm>, December 08, 2007.

Fundamental Branches of the Government System

The fundamental organs of the Republic are legislative, executive, and judiciary branches. The principle of "separation of powers", the fundamental constitutional requirement, was first adopted with the 1961 Constitution. It is stated in the Preamble of the Constitution that "the principle of the separation of powers, which does not imply an order of precedence among the organs of state, but refers solely to the exercising of certain state powers and discharging of duties which are limited to cooperation and division of functions, and which accepts the supremacy of the Constitution and the law."

Legislative Branch

Legislative power is vested in the Turkish Grand National Assembly (TGNA), a one-chamber parliament composed of 550 deputies who serve four-year terms. Deputies are elected by universal suffrage on behalf of the Turkish Nation. The legislative power cannot be delegated (Article 7; 75; 77). Every Turk over the age of 25 is eligible to be a deputy (Article 76). Elections for the TGNA are held under the general administration and supervision of the judicial organs (Article 79) every four years (Article 77). They are held under the direction and supervision of the judiciary, in accordance with the principles of free, equal, secret, and direct, universal suffrage, and public counting of the votes. All Turkish citizens over the age of 18 have the right to vote in elections and to take part in referenda (Article 67). Members of the TGNA represent not merely their own constituencies or constituents, but the Nation as a whole (Article 80).

Members of the TGNA enjoy parliamentary immunity. They are not liable for their votes and statements concerning parliamentary functions, for the views they express before the Assembly, or unless the Assembly decides otherwise on the proposal of the Bureau for that sitting, for repeating or revealing these outside the Assembly (Article 83).

At the 23rd term TGNA Parliamentary Elections on July 22, 2007 the Justice and Development Party (AKP) managed to win 46.52% of the votes, which allowed the formation of a single-party government under Prime Minister Erdogan for another legislature. The two opposition parties, the Republican People's Party (CHP) and the Nationalist Movement Party (MHP) both managed to pass the 10% threshold and secure seats in the parliament, winning 20.90% and 14.27% of the votes respectively. The turnout was 84.16%. For repartition of seats in the parliament see Table 2 (Supreme Election Court 2007a).

Immediately after the election heated debate on changes to the Constitution began.

TABLE 2: 23rd TERM TGNA PARLIAMENTARY ELECTION RESULTS AND SEATS

Political Parties	Elected*	Current
Justice and Development Party (Adalet ve Kalkınma Partisi, AKP)	341	340
Republican People's Party (Cumhuriyet Halk Partisi, CHP)	112	98
Nationalist Movement Party (Milliyetçi Hareket Partisi, MHP)	70	70
Democratic Society Party (Demokratik Toplum Partisi, DTP)	-	20
Democratic Left Party (Demokratik Sol Parti, DSP)	-	13
Great Union Party (Büyük Birlik Partisi, BBP)	-	1
Freedom and Solidarity Party (Özgürlik ve Dayanışma Partisi, ÖDP)	-	1
Independents (Bağımsız)	26	5
Vacant (Boş)	1**	2
Total	550	550

*Supreme Election Court (2007b), The Number of Elected Deputies,
<http://www.ysk.gov.tr/ysk/index.html>, December 11, 2007.

** Because of decease of Mehmet Cihat Özönder on the day of election.

Source: As of 09 December 2007, TBMM (2007c),

http://www.tbmm.gov.tr/develop/owa/milletvekillерimiz_sd.dagilim, December 09, 2007.

In the 1982 Constitution, the functions and powers of the TGNA are outlined as follows (Article 87):

- To enact, amend, and repeal laws,
- To supervise the Council of Ministers and the Ministers,
- To authorize the Council of Ministers to issue governmental decrees having the force of law on certain matters,
- To debate and approve the draft budget and the draft law of final accounts,
- To make decisions on the printing of currency,
- To declare war,
- To ratify international agreements,

- To make decisions with 3/5 of the TGNA on the proclamation of amnesties and pardons according to the Constitution, and
- To exercise the powers and execute the functions envisaged in the other articles of the Constitution.

The Council of Ministers and deputies introduces laws (Article 88). The ratification of treaties concluded with foreign countries and international organizations is subject to adoption by the TGNA of a law approving the ratification (Article 90).

The TGNA convenes of its own accord on the first day of October each year. The Assembly may be in recess for a maximum of three months in the course of a legislative year. During adjournment or recess it may be summoned by the President either on his own initiative or at the request of the Council of Ministers (Article 93).

The Bureau, the Chairmanship Council, of the TGNA is composed of the Chair, the Deputy Chair, Secretary Members, and Administrative Members elected from among the Assembly members. The Bureau is elected from among the Assembly members in due proportion to the number of members of each political party group in the Assembly. Two elections to the Bureau of the TGNA are held in the course of one legislative term. The term of office of those elected in the first round is two years and the term of office of those elected in the second round is three years (Article 94).

According to the amendment of May 31, 2007 "The Turkish Grand National Assembly convenes with the minimum proportion of one-third, for all proceedings including elections it undertakes. Turkish Grand National Assembly, unless stated otherwise in the Constitution, decides on the basis of an absolute majority of the attendees; however, the quorum cannot be less than one-fourth of the total number of members plus one" (Article 96).

Unless a decision is taken to conduct a closed session, all debates of the Assembly are held openly and may be observed. The proceedings are published in the Journal of Records (Article 97).

The TGNA exercises its supervisory power by means of "questions, parliamentary inquiries, general debates, motions of censure and parliamentary investigations. A question is a request for information addressed to the Prime Minister or ministers to be answered orally or in writing on behalf of the Council of Ministers. A parliamentary inquiry is an examination conducted to obtain information on a specific subject. A general debate is the consideration of a specific subject related to the community and the activities of the state at the plenary sessions of the Turkish Grand National Assembly" (Article 98). "A motion of censure may be tabled either on behalf of a political party group or by the signature of at least twenty deputies" (Article 99).

The deputies of the TGNA act in specialized committees. They perform duties on behalf of the General Assembly. There are 16 committees (Table 3) in the TGNA that have been established according to the provisions of the Constitution and the Rules of Procedure. The political parties are represented in these committees according to the proportion of their number of members.

TABLE 3: THE TURKISH GRAND NATIONAL ASSAMBLY SPECIALIZED COMMITTEES

The Constitutional Committee
The Justice Committee
The National Defense Committee
The Internal Affairs Committee
The Foreign Affairs Committee
The National Education, Culture, Youth and Sport Committee
The Industry, Trade, Energy, Natural Resources, Knowledge and Technology Committee
The Public Works, Reconstruction, Transportation and Tourism Committee
The Agriculture, Forestry and Rural Affairs Committee
The Health, Family, Labor and Social Affairs Committee
The Petition Committee
The Examination of Human Rights Committee
The Environment Committee
The State Economic Enterprises Committee
The Plan and Budget Committee
The European Union Integration Committee

Source: TBMM (2007a). Specialized Committees,
http://www.tbmm.gov.tr/develop/owa/komisyonlar_sd.liste, December 09, 2007.

The TGNA is also a member of various international organizations. Members of parliament are in a continuous and committed relationship with these international organizations.

The international organizations with Turkey's membership and representation by members of parliament are as follows (Türkiye Büyük Millet Meclisi 2007b):

The Parliamentary Assembly of the Council of Europe; The North Atlantic Assembly the Inter-Parliamentary Union; The Turkey-European Community Joint Parliamentary Committee; The Parliamentary Assembly of the Conference on Security and Cooperation in Europe; The Parliamentary Assembly of the Black Sea Economic Cooperation; The Association of Asian Parliaments for Peace; The Parliamentary Union of Organization of Islamic Conference Member Countries; The Inter-Parliamentary Union, The Western European Union Inter Parliamentary Assembly of The Europe Security and Defense; Asian Parliament

Assembly; Parliamentary Assembly of Mediterranean; Parliamentary Assembly of Europe and Mediterranean.

Judiciary Branch

Judicial power is exercised by independent courts on behalf of the Turkish Nation (Article 9). Judges are independent in the discharge of their duties. They give their judgments in accordance with the Constitution, law, and their personal conviction of conforming to the law. No organ, office, authority or individual may attempt to intimidate, instruct or order, make suggestions or recommendations to or send notices to any judge and court related to the exercise of judicial power. The legislative and executive organs and the administration have to comply with the court decisions. They may not change or delay the application of these rulings (Article 138).

According to the constitution, "the organization, functions, and jurisdiction of the courts is regulated by the law" (Article 142). Court hearings are open to the public. However, it may be decided to conduct all or part of the hearings in closed session only for the reasons of public morality or public security. The decisions of courts are made in writing with a statement of justification. It is the duty of the judiciary to conclude trials as quickly as possible and at a minimum cost (Article 141).

The Higher Courts in Turkey comprising the same-level courts of appeal are as follows: The Constitutional Court examines the constitutionality, in respect of both form and substance, of laws, decrees having the force of law, and the Rules of Procedure of the TGNA. The Constitutional Court is placed as the first judicial organ among the "High Courts" (The Constitutional Court, 2006). Constitutional amendments may be examined and verified only with regard to their form. Also, "the President, members of the Council of Ministers, presidents and members of the Constitutional Court, of the High Court of Appeals, of the Council of State, of the Military High Court of Appeals, of the High Military Administrative Court of Appeals, their Chief Public Prosecutors, Deputy Public Prosecutors of the Republic, and the presidents and members of the Supreme Council of Judges and Public Prosecutors, and of the Audit Court shall be tried for offences related to their functions by the Constitutional Court in its capacity as the Supreme Court". The judgments of the Supreme Court are final (Article 148).

"The High Court of Appeals is the last instance for reviewing decisions and judgments given by courts of justice and which are not referred by law to other judicial authority. It is also the first and the last instance court for dealing with specific cases prescribed by law" (Article 154).

"The Council of State is the last instance for reviewing decisions and judgments given by administrative courts and which are not referred by law to other administrative courts. It is also the first and the last instance for dealing with specific cases prescribed by law. The Council of State tries administrative

cases, gives opinion within two months of time on draft legislation, the conditions and the contracts under which concessions are granted concerning public services which are submitted by the Prime Minister and the Council of Ministers, examines draft regulations, settles administrative disputes and discharge other duties as prescribed by law" (Article 155).

"The Military High Court of Appeals is the last instance for reviewing decisions and judgments given by military courts. It is also the first and the last instance for dealing with specific cases designated by law concerning military personnel" (Article 156).

"The High Military Administrative Court of Appeals is the first and the last instance court for the judicial supervision of disputes arising from administrative acts and actions involving military personnel or related to military service, even if such acts and actions have been carried out by civilian authorities" (Article 157).

"The Court of Jurisdictional Disputes is empowered to deliver final judgments in disputes between courts of justice, and administrative and military courts concerning their jurisdiction and decisions" (Article 158).

The Audit Court is charged with auditing, on behalf of the Turkish Grand National Assembly, all the accounts related to revenues, expenditures and properties of the government. The audit of and the final decision on the accounts and transactions of the local governments is also performed by the Audit Court (Article 160). The Court was not recognized as the Higher Court by the 1982 Constitution.

Executive Branch

The executive power and functions are exercised and carried out by the President of the Republic and the Council of Ministers. They execute and exercise the power in conformity with the Constitution and the law (Article 8). Articles 101-137 of the Constitution relate to the Executive branch of the government and are analyzed in detail in the following chapter.

CHAPTER 2

ADMINISTRATIVE STRUCTURE IN TURKEY

Despite the fact that the concept and tradition of administration is old, the systematic analysis of public administration as a separate field within the discipline, is relatively new. The systematic analysis of the field separate from law and political science in our country started in the 1950s (Ergun & Polat 1978). In the sense of cooperation of individuals to attain a goal, administration and its conceptual use is a combination of organization, managerial activities and management (Eryilmaz 2007).

The concept of public administration in its general sense describes the structure and the functions of the power of the public. It is a procedural and operational instrument of the state. In this sense public administration encompasses every type of public service and organization. In short, public administration can be defined as an organizational execution of administration , together with provision of public services and activities.

It is possible to define the discipline in terms of its two characteristics: structural and functional characteristics. In terms of structure, public administration describes the organizational structure of all state agencies except legislature and judiciary. They are central administrative agencies, local government, service providing organizations, inspection and advisory bodies and other agencies. In terms of functions, public administration describes the process of implementation of laws, rules and various public policies. It is the process of implementation through governing functions of determined public policies by public officials in the interest of the public (Eryilmaz 2007; Gözübüyük 1998)

The public administration of every country is formed and developed under the auspices of firstly, its constitution and laws; and secondly, its cultural, social, political, economic, and historical characteristics. Administrative structure was organized as 'central' and 'local' to ensure the efficient and effective provision of services. Article 123, "the organization and functions of the administration are based on the principles of centralization and decentralization", of the 1982 Constitution provides a framework for creating a unitary and holistic model of

central administration and local administrations to render effective public services in which the interests of the people are taken into full consideration. Administrative institutions in Turkey may briefly be classified under three groups: central administration; local administrations; and other institutions and organizations. The next section analyzes the main principles and characteristics of the Turkish public administration and the problems it faces today.

Fundamentals of Public Administration in Turkey

The main constitutional principles of public administration are the principle of integral unity and the public legal personality of the administration; centralization and decentralization principles; central administration principle; local administration principle; and the dispersed/wider powers principle.

Integral Unity and the Public Legal Personality of the Administration

Administration is an aggregate that runs the state machinery. It is composed of several parts that function to deliver specific public services in the interest of the public.

The 1982 Constitution frames this principle in the following form: "the administration forms a whole with regard to its structure and functions, and shall be regulated by law" (Article 123). Being also the result of one of the main characteristics of the Turkish Republic (the Turkish state, with its territory and nation, is an indivisible entity), the principle aims at unity and integrity of public organizations. With this purpose in mind and within the legal framework, local administrations are under the tutelage of the central government. According to Article 127 of the Constitution "The central administration has the power of administrative trusteeship over local governments in the framework of principles and procedures set forth by law with the objective of ensuring the functioning of local services in conformity with the principle of the integral unity of the administration, securing uniform public service, safeguarding the public interest and meeting local needs, in an appropriate manner."

Turkey is a centralized and a unitary state governed by a parliamentary democratic system and has a highly centralized administrative structure. The administration in Turkey is composed of central and local (decentralized) administrative agencies. According to the constitution, "the organization and functions of the administration are based on the principles of centralization and decentralization. Public corporate bodies shall be established only by law or by the authority expressly granted by law" (Article 123).

The Principle of Central Administration

The principle of central administration encompasses centralization and provision of public services through certain hierarchical structure. In this regard, the authority to decide on public services, to implement them, and to arrange revenues and expenditures is vested in central administration. What is meant by 'central' is the execution of, and decision on, public services mainly from the capital.

Central administration is also called 'general administration'. With the aim of providing services across the country, the central administration is organized in the form of capital administration and its local branches in provinces and districts. Central administration represents organizations that make up the main administrative structure of the state. It takes and implements political, administrative and economic decisions about the general administration of the country. The structure of central administration consists of central state apparatus - the President, Prime Ministry, Ministries, and other related government agencies and their local branches in provinces and districts.

Provincial branches, on the other hand, provide services in the name, and in line with the imperatives and instructions, of the central administration. Provincial branches of the ministries in provinces and districts are composed of administrative agencies affiliated with provincial governors and district governors -kaimakams- respectively.

The central administration and its provincial branches will be explained in detail in the following section.

The Principle of Decentralization

No state or political entity is organized simply either on the basis of central or local government. Every country has established its own model of government based on its social, political, economic, cultural and historic characteristics that encompasses the two notions with different values attached to both.

The principle of local government describes the provision of some public services by public corporate entities outside the realms of central government. This principle asserts that certain needs of local people can be met by establishments that have decision making agencies approved by the electorate (i.e. local people); are autonomous to a certain extent from the central government; sustain their budgets from own-source revenues; and have legal personality.

Local administrations can be divided into the following two groups: local administrations in terms of location/geography, and local administrations and

public-institution-type professional organizations in terms of service. Geography-based local administrations have come to be known as local administrations-governments, whereas service-based local administrations are generally called public institutions.

Local administrations in Turkey are classified as special provincial administrations, municipalities including metropolitan municipalities, and villages. Service-based government organizations, on the other hand, are public organizations with a corporate body and a certain degree of autonomy, that serve in a specialized field. Universities, State Economic Enterprises, Turkish Radio and Television Administration are some examples of such institutions.

Turkish local administrations are explained in detail in Part IV within the framework of "Special Provincial Administration Law" (No. 5302 of 2005), "Municipality Law" (No. 5393 of 2005), "Metropolitan Municipality Law" (No. 5216 of July 2004), and "Village Law" (No. 442 of March 1924).

The Principle of Delegation of Wider Powers -Deconcentration-

The principle of wider powers is a type of principle of central administration; it is the moderated form of central administration. The principle authorizes governors and senior officials of the provincial branches of central administration to take and implement decisions on certain issues. The officials of the provincial branches exercise this authority in line with the imperatives and instructions of the central administration.

The most typical example of the system is the province system. Article 126 of the Constitution states that:

In terms of central administrative structure, Turkey is divided into provinces on the basis of geographical situation and economic conditions, and public service requirements; provinces are further divided into lower levels of administrative districts.

The administration of the provinces is based on the principle of devolution of wider powers.

Central administrative organizations comprising several provinces may be established to ensure efficiency and coordination of public services. The functions and powers of these organizations shall be regulated by law.

In an administrative sense Turkey is divided into geographic regions called provinces. The provinces are governed by governors representing and responsible to central government (state and government). Again, governors use

their administrative authority on behalf of the central government. Provincial governors are the only officials in the Turkish administrative system who can take advantage of the principle of wider powers; district governors (kaimakams) and sub-district administrators do not have that privilege (Parlak & Sobaci 2005).

Basic Characteristics and Problems of Turkish Public Administration

In general terms, the main characteristics (Eryılmaz 2007; Parlak & Sobaci 2005; Gözübüyük 1998) and problems (Palabıyık 2003-2004) of the Turkish public administration in meeting today's expectations and keeping up with developments in terms of system, organization, task, function, public officers and participation in administration can be summarized as follows:

As a system, Turkish public administration is called "administrative regime" or "administrative system". The system is characterized by one-sided and binding decisions and implementations. The legal and judicial branches applied within public administration are "public law" and "administrative adjudication" respectively.

In terms of organization, roughly, the Turkish public administration possesses organizational tenets of the pre-Republican period. The ministries were primarily adopted as a legacy of the Ottoman period not only in terms of organization, but also administrative culture and traditions. What is different in Ministries is the fact that there is an increase in the number of public institutions and organizations, and an expansion of their respective tasks. In terms of tasks, the growth of public institutions and organizations results in task complications due to the actions independent from administrative principles.

The distribution of tasks between central, provincial and local administrations in terms of effectiveness, efficiency and democracy in services has not been successful to date. The result is a bulky structure and red tape bureaucracy. On the one hand, preventive bureaucracy, ineffective distribution of authority and responsibilities, combined with the negative impact of politics on bureaucracy, prevent the implementation of organizational regulations, and task accomplishment becomes difficult. On the other hand, over time many tasks have ended up in unnecessary and aimless sizes. Therefore, the central administration continuously grows, which results in an inability to meet public needs and wasteful use of resources. The inefficiency, bureaucratic red tape and misuse of resources in public institutions lead to delays in service and, thus, reduce public satisfaction and trust.

In terms of public officers, despite some improvements in public personnel management, there are still significant problems with regard to effectiveness, efficiency and compensation.

Turkish public administration has a rigorously centralized structure in terms of functions. The central government enjoys a strong tutelage over local administrations; most of the administrative decisions are taken by central administration. Nevertheless, some gaps related to the execution of various basic tasks, and the unity and integrity of services, are still observed. It can be accepted that the main reason behind the centralization of Turkish public administration is the adoption of a modernizing/authoritarian style of political regime in the post-Republican period. The structure of the centralized public administration established along these lines remains incompatible with social and political developments in today's Turkey.

Another problem within Turkish public administration is secrecy and closeness. Closeness, in brief, is insensitivity to the community the administration serves; whereas secrecy is reluctance to make information, documents and other administrative operations and procedures public. In this regard, whereas secrecy in the public administration system is a general rule, openness is an exception. The Right of Information Law (No. 4982 of 2003), which provides individuals the right to access information -a requisite for democratic and transparent government- is a positive development in this context.

Participation in administration, however, is considered only in the form of voting in general and local elections; active participation of the governed in the decision-making process has not yet been achieved. There are gaps in terms of democratic participation practices. In addition to the participation challenges in general, there is also a problem concerning female participation in Turkey (Table 4).

TABLE 4: WOMEN ELECTED IN GENERAL* AND LOCAL** ELECTIONS

	Seats held by Women	Seats held by Men	Total	Percentage (%)
Parliament***	48	500	548	8.7
Mayor	18	3,207	3,225	0.5
Municipal Council Members	834	33,643	34,477	2.4
Provincial Council Members	58	3,150	3,208	1.8

*23rd Term the TGNA Parliamentary Elections on 22nd July 2007.

** 2004 Local Administrations Elections.

*** As of December 2007.

Source: Turkish Republic Prime Ministry Directorate General on the Status and Problems of Women. (2007). Retrieved on February 17, 2007, from <http://www.kssgm.gov.tr/karar.html>.

Consequently, due to the increase and diversification in public services, ever-increasing number of service users, changing requirements, public service preferences, technological and other reasons for administrative reforms in Turkey have been on the agenda for a long time. Despite much research, analysis and suggestions with regard to the problems in this field, there is still a lack of comprehensive studies presenting an opportunity to analyze and evaluate all relevant regulations.

As a result of current developments, new institutions and concepts have emerged related to administrative structure. One such novelty is the concept of Independent Administrative Authorities (Altundiş 2006). The main goal of such administrations is to take quick and effective red tape-free decisions on issues like energy, capital market and banking; and, to implement those decisions through specialized institutions. The basic functions of such institutions are:

- To issue permits and licenses, and to give consent and authority to organizations and individuals with activities in certain sectors,
- To publish regulatory texts like directives and orders,
- To perform field inspections and, if necessary, to file a criminal complaint,
- To fine, and to impose temporary or permanent sanctions of judicial analogy, and
- To participate at different degrees in field-related general administrative functions.

The role that these institutions, which are emerging within such sectors as communication, media, finance, and banking with no inspection under administrative tutelage, play within the classic administrative structure of the countries where they exist is still a matter of debate. The constitutional Article 167, proposed as a support for the establishment of independent administrative authorities, provides an opportunity for the state to regulate markets. Accordingly, "The state shall take measures to ensure and promote the sound, orderly functioning of the money, credit, capital, goods and services markets; and shall prevent the formation, in practice or by agreement, of monopolies and cartels in the markets." The Higher Institutions/Councils of the Turkish public administration with characteristics of the Independent Administrative Authorities are (T.C. Cumhurbaşkanlığı Devlet Denetleme Kurulu 2002; Altundiş 2006; Şanlısoy & Özcan 2006):

- The Radio and TV Supreme Board
- The Capital Markets Board of Turkey
- The Competition Agency
- The Banking Regulation and Supervision Agency

- The Telecommunication Agency
- The Electricity Market Regulatory Authority,
- The Sugar Agency
- The Tobacco, Tobacco Products and Alcohol Markets Regulatory Authority
- The Public Procurement Authority

Central Administration (Eryılmaz 2007; Gözübüyük 1998; Gözler 2006)

Also called 'general administration', the central administration is organized to provide country-wide services; this capital administration organizes local branches in provinces and districts.

Capital Administration

The Capital Administration is composed of the President, Prime Minister, and the Council of Ministers, Ministries and other adjunct institutions and organizations.

The President of the Republic

Turkey is characterized by its dual executive system. In this regard, the executive branch is composed of the President and the Council of Ministers enjoying executive authority.

"The President of the Republic is the Head of the state. He or she represents the Republic of Turkey and the unity of the Turkish Nation. He or she ensures the implementation of the Constitution and regulates the harmonious functioning of the state organs" (Article 104).

"The President of the Republic is elected by the people from among TGNA members with higher education and age of forty or over, or Turkish citizens with same qualifications and competency to be elected a deputy. The Presidency term is five years, and one can be elected President only twice. The satisfactory condition for candidacy for Presidency from among TGNA members or from outside the TGNA is a written proposal of twenty deputies. Moreover, political parties whose percentage of total valid votes in the last general deputy elections exceeded 10% can nominate a candidate. The partisan affiliation and TGNA membership of a person elected as President shall end (Article 101).

In accordance with conditions prescribed in the relevant articles of the Constitution, the duties and powers of the President are as follows (Article 104):

- Those related to the legislative function:
 - If he or she deems it necessary, delivering the opening address of the TGNA on the first day of the legislative year,
 - When necessary, calling for the TGNA to meet,
 - Promulgating laws,
 - Returning laws to the TGNA to be reconsidered,
 - If he or she deems it necessary, submitting to referendum legislation regarding amendment of the Constitution,
 - Appealing to the Constitutional Court for the annulment in part or entirety of certain provisions of laws, decrees having the force of law, and the Rules of Procedure of the Turkish Grand National Assembly on the grounds that they are unconstitutional in form or in content, and
 - Calling new elections for the TGNA.
- Those related to the executive functions:
 - Appointing the Prime Minister and accepting his or her resignation,
 - Appointing and dismissing Ministers on the proposal of the Prime Minister,
 - Whenever he or she deems it necessary, presiding over the Council of Ministers or to call the Council of Ministers to meet under his or her chairmanship,
 - Accredit representatives of the Turkish state to foreign states and to receive the representatives of foreign states appointed to the Republic of Turkey,
 - Ratifying and promulgating international treaties,
 - Representing the Supreme Military Command of the Turkish Armed Forces on behalf of the TGNA,
 - Deciding on the mobilization of the Turkish Armed Forces,
 - Appointing the Chief of the General Staff,
 - Calling the National Security Council to meet,
 - Presiding over the National Security Council,
 - Proclaiming martial law or state of emergency, and issuing decrees having the force of law, in accordance with the decisions of the Council of Ministers under his or her chairmanship,
 - Signing decrees,

- Remitting, on grounds of chronic illness, disability, or old age, all or part of the sentences imposed on certain individuals,
- Appointing the members and the chairman of the State Supervisory Council,
- Instructing the State Supervisory Council to carry out inquiries, investigations and inspections,
- Appointing the members of the Higher Education Council,
- Appointing rectors of universities.

- Those related to the judiciary function:

- Appointing the members of the Constitutional Court,
- Appointing one-fourth of the members of the Council of State,
- Appointing the Chief Public Prosecutor and the Deputy Chief Public Prosecutor of the High Court of Appeals,
- Appointing the members of the Military High Court of Appeals,
- Appointing the members of the Supreme Military Administrative Court,
- Appointing the members of the Supreme Council of Judges and Public Prosecutors.

The President has no political accountability. According to the Article 105, all Presidential decrees, with the exception of those with which the President is specifically empowered to enact without the signatures of the Prime Minister and the Minister concerned, must be co-signed by the Prime Minister, and the related Minister. The Prime Minister and the related Minister are accountable for these decrees. No appeal may be made to any legal authority, including the Constitutional Court, against the decisions and orders signed directly.

The President also cannot be held criminally liable for his duty-related acts and operations with only one exception: the President may be impeached for high treason upon the proposal of at least one-third of the members of the TGNA, and by the decision of at least three-fourths of the total number of its members (Article 105).

Moreover, the President does not have legal responsibility for his/her duty-related acts and operations. As far as out-of-duty cases are concerned, however, as every ordinary citizen, the president does have legal responsibility and criminal liability.

"In the event of a temporary absence of the President of the Republic on account of illness, travel abroad or similar circumstances, the Speaker of the TGNA serves as Acting President and exercises the powers of the President until the President resumes his or her functions, and in the event that the Presidency

falls vacant as a result of death or resignation or for any other reason, until the election of a new President of the Republic" (Article 106).

Prime Minister and Council of Ministers (Cabinet)

The Council of Ministers, including the Prime Minister and other ministers, is a politically accountable organ of the executive branch of government to the legislature in Turkey. The Council determines and implements general policies of the government and public administration, and does this with collective responsibility.

The Turkish Prime Minister is the head of the Council of Ministers and the most senior commander of the Prime Minister's Office. The Prime Minister is responsible for ensuring that the Council functions in a harmonious manner as well as for coordination among ministers. The Prime Minister is appointed by the President from among the members of the TGNA. The ministers are nominated by the Prime Minister and appointed by the President. While the ministers are not required to be deputies, the Prime Minister must be member of the TGNA (Article 109).

The Government Program of the Council of Ministers is read by the Prime Minister or by one of the ministers before the TGNA within a week of the formation of the Council, followed by the application for a vote of confidence (Article 110).

The Council of Ministers issues regulations governing the mode of implementation of laws provided that they do not conflict with existing laws and are examined by the Council of State (Article 115).

The Council of Ministers works according to traditions and preceding practices. Usually the Prime Minister has a final say in this regard.

There are some organizations affiliated with the Prime Minister's Office: the Directorate General, the Undersecretaries, and the Presidency are dealt with by State Ministers. There are also organizations related to the Prime Minister Office's; these are State Economic Enterprises and public banking organizations.

The ministries are the units of the central administration. The public services delivered by the state are performed by different ministries. The Ministers direct their respective ministries with their political and administrative identities. A minister is the highest hierarchical chief of the ministry and is a member of the Council of Ministers. Every ministry has its own responsible minister; only State Ministers are not responsible for any Ministry. According to the Constitution, the formation, abolition, functions, powers and organization of the ministries is regulated by the "Organization and Duty Principles of Ministries Law" (Article 113 of No. 3046 of 1984). The number of ministries increases in accordance with the functions the state assumes. However, with the aim of within-party balance the Prime Ministers can establish new ministries. This, in turn, results in the

problem of coordination. There were 7 state ministries in 1983, whereas this number increased to 15 in 1988 and to 20 in 1995. Today's 60th Government employs 9 State Ministers and 15 Executive Ministers (Table 5).

The ministries have political, criminal and legal liabilities. The ministers, collectively and individually, are politically accountable to TGNA, and, therefore, can be tried by the Constitutional Court on the account of any crime related to their duty.

TABLE 5: THE 60th COUNCIL OF MINISTERS, REPUBLIC OF TURKEY*

Ministers	Affiliated and Relevant Organizations
Prime Minister	Secretariat General of National Security Council (MGK) National Intelligence Organization (MIT) Housing Development Organization of Turkey (TOKI) Agency of Turkish Enterprise Assistance and Publicity
State Minister & Deputy Prime Minister	Council of Higher Supervision (YDK) Institute of Turkey and Middle East Public Administration (TODAIE)
State Minister & Deputy Prime Minister	Undersecretariat of Customs Directorate General of Foundations Directorate General of Social Help and Solidarity Secretariat of the Council of Publicity Fund
State Minister & Deputy Prime Minister	State Planning Organization (DPT) Turkish Statistical Institute (TUIK) Southeast Regional Project Regional Development Administration (GAP) Bank of Agriculture Bank of Turkish Public Capital Markets Board of Turkey (SPK) Banking Regulation and Supervision Agency (BDDK) Savings Deposit Insurance Fund (TMSF) Privatization Administration
State Minister	Atatürk High Institution of Culture, Language and History Turkish Academy of Sciences (TUBA) Directorate General of Press and Information Scientific and Technological Research Council of Turkey (TUBITAK) Anadolu Agency Turkish Radio and TV Administration (TRT) Radio and TV Supreme Board (RTUK)
State Minister	State Personnel Organization (DPB) Directorate General of Youth and Sports (GSGM) Turkish Football Federation Tobacco, Tobacco Products and Alcohol Markets Regulatory Authority
State Minister	Foreign Trade Organization (DTM) Export Credit Bank of Turkey (EXIMBANK)

State Minister	Administration for Disabled People Social Services and Children Protection Administration (SHCEK) Directorate General Family and Social Research Directorate General on the Status of Women Darülaceze Institution
State Minister	Undersecretariat of Treasury Central Bank of Republic of Turkey
State Minister	Presidency of Religious Affairs Turkish International Cooperation and Development Agency
Minister of Justice	Turkish Academy of Justice Agency for Workshops in Punishment and Prisons
Minister of National Defense	Undersecretariat of Defense Industries
Minister of Interior	Directorate General of Security Affairs General Command of Gendarmerie Turkish Coast Guard Command Surety Fund
Minister of Foreign Affairs & Chief Negotiator	Secretariat General of European Union Affairs (ABGS)
Minister of Finance	Turkish Accounting Standards Board Revenue Administration
Minister of National Education	Academy of National Education General Directorate of Higher Education Credit and Hostels Institution
Minister of Public Works and Settlement	Directorate General of Land Registry and Cadastre Bank of Provinces General Directorate
Minister of Health	General Directorate of Health for Borders and Coasts
Minister of Transport	Undersecretariat of Maritime Affairs General Directorate of Highways Directorate General of Civil Aviation General Directorate of Coast Security Turkish State Railways (TCDD) General Directorate of State Airports Authority (DHMI) General Directorate of Post and Telegraph Organization (PTT) Telecommunication Agency Türksat
Minister of Agriculture and Rural Affairs	DIRECTORATE GENERAL OF AGRICULTURAL REFORM Atatürk Forestry and Farm (AOC) Turkish Grain Board (TMO) DIRECTORATE GENERAL OF AGRICULTURAL ENTERPRISES (TIGEM) Tea Enterprises Agency (CAYKUR) Meat and Fishery Agency (EBK)

Minister of Labor and Social Security	Social Security Agency Turkish Work Agency (ISKUR) Labor and Social Security Research and Education Center Laborer Union Surety Fund
Minister of Industry and Commerce	Presidency of Development and Support of Small and Medium-sized Enterprises Administration (KOSGEB) Turkish Patent Institute Turkish Sugar Factories Sumer Carpeting And Handicrafts General Directorate National Productivity Center (MPM) Turkish Standards Institution (TSE) Competition Agency Sugar Agency
Minister of Energy and Natural Resources	Turkish Hard Coal Authority (TTK) Turkish Coal Plants Agency (TKI) Eti Mine Management General Directorate General Directorate of Mineral Research and Exploration (MTA) Petroleum Pipeline Corporation (BOTAS) General Directorate of Petroleum Affairs National Hydrogen Institute Turkish Atomic Energy Agency (TAEK) National Boron Research Institute (BOREN) General Directorate of Electrical Power Resources Survey and Development Administration (EIE)
Minister of Culture and Tourism	General Directorate of State Theatres State Opera and Ballet
Minister of Environment and Forestry	Direktorate General of Forestry State Water Affairs General Directorate General Directorate of State Meteorology Affairs Environmental Protection Agency for Special Areas

*As of 10th December 2007, T.C. Başkanlığı (2007). Retrieved on December 10, 2007, from <http://www.basbakanlik.gov.tr/sour.ce/index.asp?wpg=76A04464-1B1C-478A-A775-EFCD979791C3>.

Together with central organizations, the ministries consist of provincial and district organizations established according to needs, foreign affairs organization, and related and affiliated organizations.

With the aim of performing services the ministry is responsible for determining goals and policies; coordination; supervision; monitoring; improvement of administration; and inspection. The central organization of the ministry is composed of "main service units," "advisory and inspection units," and "adjunct units."

The hierarchical structure of the central administration is as follows: The Undersecretariat, General Directorate attached to the Undersecretary, Council Chairmanship; Department Chairmanship attached to the General Directorate or Council Chairmanship; Department Directorate and Chieftainships.

With the purpose of spreading ministerial services across the country, the local branches of the ministries are composed of provincial organizations attached to provincial governors and district organizations attached to the governors of districts -kaimakams-.

Lastly, the foreign representation offices are composed of consulates and diplomatic missions of foreign representation character -specialized units within the scope of foreign representation offices-, and foreign organizations with no foreign representation character.

Adjunct Agencies of the Central Administration

These are the agencies established to advise the center, to inspect, or provide coordination. Some of them are: the Council of State, the Audit Court, the National Security Council, and the State Planning Organization.

The Council of State is the high administrative court and, at the same time, the highest advisory and inspection agency. Article 155 of the Constitution states the "Council of State is the last instance for reviewing decisions and judgments given by administrative courts and which are not referred by law to other administrative courts." It also examines draft regulations, settles administrative disputes and discharges other duties as prescribed by law.

The Audit Court was not considered to be among higher courts by the 1982 Constitution. Nevertheless, it has administrative and judicial duties. The main duties of the Court are to advise and to inspect. According to Article 160 of the Constitution the Audit Court is charged with auditing, on behalf of the TGNA, all accounts related to revenues, expenditures and properties of the government. The duty to inspect and supervise, and to provide legal force to the accounts and operations of the local administrations/governments lies upon the Audit Court (Article 160).

According to the Constitution, the "National Security Council is composed of the Prime Minister, the Chief of the General Staff, Deputy Prime Ministers, Ministers of Justice, National Defense, Internal Affairs, and Foreign Affairs, the Commanders of the Army, Navy and Air Forces and the General Commander of the Gendarmerie, under the chairmanship of the President of the Republic. The National Security Council submits to the Council of the Ministers its views on the advisory decisions that are taken and ensuring the necessary condition with regard to the formulation, establishment, and implementation of the national security policy of the state" (Article 118).

Again, according to the Constitution, the "planning of economic, social and cultural development, in particular the speedy, balanced and harmonious development of industry and agriculture throughout the country, and the efficient use of national resources on the basis of detailed analysis and assessment and the establishment of the necessary organization for this purpose are the duties of the state" (Article 166). In 1960 the State Planning Organization was established to provide counseling and supplementary services to the government.

Local Branches of Central Administration in Provinces and Districts

Local branches of the Central Administration can be categorized as follows: regional organizations; provincial administration; district administration; and, sub-district administration.

Article 126 of the Constitution states that "central administrative organizations comprised of several provinces may be established to ensure the efficiency and coordination of public services". Accordingly, it is possible to form local regional organizations to deliver services encompassing several provinces. The civil administration structure, however, depends on the province. In this regard, regional organizations cannot be analyzed within civil administrations. For example, the Ministry of Labor and Social Security, is organized in the form of Regional Directorates of Labor; General Directorate of Highways, General Directorate of Forestry, and State Water Affairs General Directorate are organized on the regional level (Parlak & Sobaci 2005).

The Southeast Regional Project Development Administration -GAP Administration- of 1989, which encompasses Adiyaman, Diyarbakir, Gaziantep, Mardin, Siirt, and Şanlıurfa provinces, was the first regional development administration to be established in Turkey.

The Provincial Administration Law (No. 5442 of 1949) defines civil administrative units under province as districts -ilçe- and sub-districts -bucak-.

The main local administration branch of the central administration is province, the legal principle of which is The Provincial Administration Law (No. 5442 of 1949). The law provides guidelines for the establishment, abolition and naming of provinces. The disjunction and joining of a district is also specified by the law. Although geographical situation, economic conditions, and public service requirements are considered to be main factors in the establishment of a province according to Article 126 of the Constitution, political ideologies and conditions have also played, and continue to play, an important role in this regard. As of December 2007 there are 81 provinces in Turkey.

The Provincial Administration comprises: the Governor, Provincial Administrators, and Provincial Administrative Council. The administration of the

provinces is based on the principle of devolution of wider powers. The Governor, responsible for general and special administration of a province, is the highest agent of central administration in the provinces. A Governor is appointed by a proposal from the Ministry of Interior, the decision of the Council of Ministers and approval of the President. The Governor represents the legal personality of the state as well as each ministry. As an agent of central administration, a Governor has substantial authority over local branches of central government and their staff, in addition to being the head of law enforcement agencies in the provinces. The governor is attached to the Ministry of Interior. On the other hand, military organizations and the judiciary do not lie within the Governor's authority. The Governor maintains harmony between central and local government services. Every ministry has its headquarters in the provinces, and above all of the respective ministries are the Provincial Administrators. The main provincial administrators are: National Education Provincial Administrator, Health Provincial Administrator, Security -Police- Provincial Administrator, Head of the Financial Department, Agriculture Provincial Administrator and others. Provincial administrators are appointed by the respective Ministry in consultation with the Governor; they receive orders from, and are responsible to, the Governor. As adjunct agency to the Governor, there are Provincial Administrative Councils. Under the chairmanship of the Governor these Councils are composed of provincial administrators of legal affairs, financial department, national education, public works, health, agriculture, and veterinary.

The District is a subordinate agency of the central administration and is composed of several sub-districts. The establishment, abolishment and naming of the Districts is regulated by the law. An area of sub-districts and villages with no dependence upon either provincial centers or any other districts are called "central districts". They are directly administered by Governors. District administration is composed of the District Governor -Kaimakam-, District Administrators and District Administrative Council. The District Governor is appointed by the joint ordinance of the Minister of Interior, the Prime Minister, and the President; he or she represents the government. The District Governor executes the orders and directives of the Provincial Governor. The district branches of the ministries are administered by the district administrators, who receive orders from, and are responsible to, the District Governor. District Administrative Councils are administered by district governors as an adjunct agency.

The last unit of the central administrative structure is sub-district -bucak-. Sub-districts are established not by the law, as in the case of provinces and districts, but by administrative decisions through the decision of the Ministry of Interior and the approval of the President. In practice no sub-districts are established today and no new appointments are made for any vacant positions of head of a sub-district. Therefore, in practice they face extinction. Sub-district administration

is composed of the head of the sub-district, the sub-district assembly, and the sub-district commission.

The local administrations composed of public institutions and organizations outside the central administration system, and serving with the principle of locality, will be analyzed in the following part in detail.

This section of the book analyzed the major functions of the central government, the constitutional framework of the Turkish public administration system, and its impact on the public administration and its structure. The section discussed in detail the three major functions of the government: legislative, judicial, and executive. The section also discussed the local/decentralized agencies of the central administration. The following section analyses local administrations in Turkey.

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PART IV

LOCAL GOVERNMENT ADMINISTRATION

Local administrations are the tools to deliver public services through organizations other than central administration. They are administrations organized separately and autonomously from central administration in terms of administration, tasks, authority and responsibility, personnel and financial resources. Basically, local administrations are applied in three forms in Turkey: "Geographic or spatial local administrations", "functional local administrations", and "public professional organizations as public corporate bodies". Geographic local administrations are called "local administrations" or "local governments"; functional local administrations are also called "public institutions" (Parlak & Sobaci 2005).

Geographic or spatial local government means execution of certain administrative duties by local units in which decision makers are elected by the people. The activities of these units are limited by a geographic area like province, municipality or village. Geographic local government's purpose is to increase and maintain local people's self-government and self-sufficiency in a province, municipality or village.

Functional local administration is a delegation of certain public services from central government to certain local autonomous institutions. Hence, the service burden of central administration is transferred to more technical and specific units. The purpose of this arrangement is to ensure rational, quick and productive management of assigned functions and services. In Turkey, well-known examples of functional local administrations are Universities, State Economic Enterprises, and Chambers of Commerce and Industry.

Finally, there are public professional organizations within the Turkish public administration system. According to the 135th Article of the Constitution "public professional organizations and their higher organizations are public corporate bodies established by law, with the objectives of meeting the common needs of the members of a given profession, to facilitate their professional activities, to ensure the development of the profession in keeping with common interests, to safeguard professional discipline and ethics in order to ensure integrity and trust in relations among its members and with the public; their organs shall be elected by secret ballot by their members in accordance with the procedure set forth in the law, and under judicial supervision". These public professional organizations include the Turkish Bar Association, the Chamber of Medical Doctors, the Chamber of Engineers and Architects, Chambers of Commerce, Chambers of Industry, Association of Turkish Tradesmen and Craftsmen, etc.

The Turkish local government has been undergoing a series of reform initiatives. Local government reform in Turkey gained new momentum in 2005. The TGNA adopted new legislative reforms for local government in recent years, but debates focusing on the problems of local government seem to be continuing. In principle, legislative reforms that centered on restructuring local governments in Turkey have been based on such generally accepted justifications as: reform, effectiveness, efficiency, local governance, participation, and accountability. Within the framework of reforms, especially in terms of local administrations, the new legal arrangements in Turkey are: "Metropolitan Municipality Law" (No. 5216 of 2004), "Special

Provincial Administration Law" (No. 5302 of 2005), and "Municipality Law" (No. 5393 of 2005).

This part firstly focuses on the general characteristics of local administrations; then considers special provincial administrations, municipalities, metropolitan municipalities and villages in terms of the relevant statutes. Finally, neighborhood administrations, unions of local administrations, participation in local administrations, inspection, functional local administrations and public professional organizations will also be briefly analyzed.

CHAPTER 1

LOCAL ADMINISTRATIONS

As a form of public organization, local administrations are democratic administrative units with a certain degree of autonomy in terms of financial and administrative issues; they function outside the central administration to provide common and local services, and are governed by decision-making bodies directly elected by the people. Local administrations have two main important functions: to meet common local public requirements-functional effectiveness - and realization of democratic values in the form of elections, representation, and participation. Through collaboration with central governments they, first of all, perform common local services in an effective and efficient way; secondly, they serve to eliminate the considerations of central government, and as a tool of political education and civic engagement in terms of democracy (Eryilmaz 2007; Toprak 2006; Tortop et al. 2006; Kalabalik 2005).

The Turkish Constitution defines local administrations, geographic or spatial administrations, in the 127th Article as follows:

Local administrative bodies are public corporate entities established to meet the common local needs of the inhabitants of provinces, municipal districts and villages, whose decision-making organs are elected by the electorate as described in law, and whose principles of structure are also determined by law.

The formation, duties and powers of the local administration shall be regulated by law in accordance with the principle of local administration.

The elections for local administrations shall be held every five years in accordance with the principles set forth in Article 67. However, general or by-elections for local administrative bodies or for members thereof, which are to be held within a year before or after the general or by-elections for deputies, shall be held simultaneously with the general or by-elections for deputies. Special administrative arrangements may be introduced by law for larger urban centers.

The procedures dealing with objections to the acquisition by elected organs of local government or their status as an organ, and their loss of such status, shall be resolved by the judiciary. However, as a provisional measure, the Minister of Internal Affairs may remove from office those organs of local administration or their members against whom investigation or prosecution has been initiated on grounds of offences related to their duties, pending judgment.

The central administration has the power of administrative trusteeship over the local governments in the framework of principles and procedures set forth by law with the objective of ensuring the functioning of local services in conformity with the principle of the integral unity of the administration, securing uniform public service, safeguarding the public interest and meeting local needs, in an appropriate manner.

The formation of local administrative bodies into a union with the permission of the Council of Ministers for the purpose of performing specific public services; and the functions, powers, financial and security arrangements of these unions, and their reciprocal ties and relations with the central administration, shall be regulated by law. These administrative bodies shall be allocated financial resources in proportion to their functions.

The principles and characteristics of local administrations are described in the 1982 Constitution as follows:

- Local administrations are public corporate entities,
- Local administrations are established to meet the common local needs of the inhabitants of provinces, municipal districts and villages,
- Their decision-making organs are elected by the electorate as described in law, and whose principles of structure are also determined by law,
- The formation, duties and powers of the local administrations are regulated by law in accordance with the principle of local administration,
- The elections for local administrations shall be held every five years,
- The procedures dealing with objections to the acquisition by elected organs of local administrations or their status as an organ, and their loss of such status are resolved by the judiciary,
- The central administration has the power of administrative trusteeship over the local governments,
- Local administrations may form a union among them with the permission of the Council of Ministers, and

- Special administrative arrangements may be introduced by law for larger urban centers.

Population censuses and other statistical measures show that 65-80% of the country live in urban areas (see Table 1-2). Despite the fact that the rate of increase of population would seem to have declined during the last decade, urban population continues to increase rapidly. While the annual population increase rate in urban areas between 1990 and 2000 was 26.8/1,000, the figure for villages remained at 4.2/1,000. In other words, today Turkey is a country with a large proportion of its population living in urban areas; the process of urbanization is continuing (State Planning Organization February 2006).

TABLE 1: URBAN AND RURAL POPULATION IN TURKEY (%)

Years	Urban Population	Rural Population
1927	24.22	75.78
1980	43.91	56.09
2000	64.90	35.10
2007*	70.5	29.5

Source: <http://www.tuik.gov.tr>, February 13, 2007.

*Urban refers the population within provincial and district borders. Rural also refers the population within Bucak and village borders. TUIK (2008). T.C. Başbakanlık Türkiye İstatistik Kurumu. *Haber Bülteni*. Sayı 9. January 21st.

TABLE 2: PROPORTION OF POPULATION WITHIN MUNICIPAL BOUNDARIES

Years	Municipal Population (%)
1950	28.2
1960	37.9
1970	47.6
1980	57.7
1985	60.3
1990	67.3
1997	79.7
2000	80.7
2001*	81.9
2002*	81.0
2003*	82.6
2007**	82.9

*Estimated

Source: State Planning Organization, 9th Development Plan 2007-2013 The Report of Settlements and Urbanization Special Expertise Committee, February 2006.

*Ministry of Interior, "Municipal population", www.mahalli-idareler.gov.tr/Home/Dokumanlar/nufus.pdf, April 03, 2008.

Local administrations, with their crucial role in democratic life and delivery of public services, make up the first step for local people's participation in the policy process and public administration. The urban population in Turkey has been increasing considerably over the years, prompting more demands for urban public services.

When a province is formed by law in Turkey, special provincial administrative organs of local government are also created simultaneously. The administration of special provincial organs rest on the model of organic relationship between the state provincial administration, and they also share the same geographical territories. For this reason there are 81 special provincial administrations, as there are 81 provinces in Turkey. They bear legal personality and are public corporate entities. There are 3,225 municipalities and 34,458 village administrative units in Turkey (Table 3-4).

TABLE 3: HUMAN SETTLEMENTS and LOCAL ADMINISTRATIONS IN TURKEY

Years	Provinces	Districts	Villages	Special Provincial Administrations	Metropolitan Municipalities	Municipalities in Total
1970	67	572		67	-	1,303
1980	67	572		67	-	1,725
1985	67	580		67	3	1,703
1986	67	582		67	4	1,802
1987	67	693		67	7	1,911
1988	67	693		67	8	1,985
1989	71	696		71	8	2,032
1990	73	829		73	8	2,061
1995	79	847		79	15	2,802
1999	81	850	34,600	81	15	3,227
2005	81	850	37,366	81	16	3,225
2006	81	850	34,458*	81	16	3,225**

*As of 04 July 2006, there were 47,044 Hamlets-Mezra, and 17,990 Neighborhood Administrations-Mahalle in Turkey. This figure is going to increase with the redesigning of municipalities by the Law No. 5747 of March 06, 2008. However, the process of the amendment is ongoing as this book is about to be published.

** According to the results of the Turkish Statistics Institute (TURKSTAT) Address-Based Population Recording System Census, the government redesigns the municipalities by the Law No. 5747. The government, by this law, envisages abolishment of legal status of some of municipalities and first tier municipalities, whose population is under 2,000 that would reduce the number of municipalities to 2,103. Finally the law envisages 16 metropolitan municipalities; 142 district municipalities within metropolitan municipalities' regions; 65 provincial municipalities; and 750 district municipalities. So, there are going to be 2,103 municipalities in Turkey in total. However, the process of the amendment is ongoing as this book is about to be published.

Source: State Planning Organization, 9th Development Plan 2007-2013 A Report of Settlements and Urbanization Special Expertise Committee, February 2006; T.C. İçişleri Bakanlığı, Belediye İstatistikleri, www.mahalli-idareler.gov.tr/Belediye/BELEDİYE_İSTATİSTİK.xls, December 24, 2007.

Although neighborhood and hamlet units are not considered as local government in Turkey, together with villages and sub-villages, they make up 80,000 rural settlements (Eryılmaz 2007).

TABLE 4: DISTRIBUTION OF MUNICIPALITIES ACCORDING TO THEIR TYPES

Municipalities	Tier Systems	Number
Metropolitan municipalities	First tier of two-tier system	16
Metropolitan district municipalities	Second tier of two-tier system	101*
Metropolitan first-lower tier municipalities	Second tier of two-tier system	283**
Provincial municipalities	A-tier system	65
District municipalities (excluding metropolitan district municipalities)	A-tier system	749
Sub-districts(Townships)	A-tier system	2,011
Total		3,225***

* The newly enacted Law No. 5747 on March 06, 2008 by TGNA establishes extra 43 new districts in Adana, Ankara, Antalya, Diyarbakır, Erzurum, Eskişehir, İstanbul, İzmir, Kocaeli, Mersin, Sakarya, and Samsun Metropolitan Municipalities. The process of the amendment is ongoing as this book is about to be published.

** The Law No. 5747 redesignates the municipalities in Turkey. According to the law, following Turkish Statistics Institute (TURKSTAT) Address-Based Population Recording System Census results, 283 lower tier municipalities lose their legal entities.

***According to the results of the Turkish Statistics Institute (TURKSTAT) Address-Based Population Recording System Census, the government redesigns the municipalities by the Law No. 5747 of March 06, 2008. The government, by this law, envisages abolishment of legal status of some of municipalities and first-lower tier municipalities, whose population is under 2,000 that would reduce the number of municipalities. Finally the law envisages 16 metropolitan municipalities; 142 district municipalities in metropolitan municipalities' regions; 65 provincial municipalities; and 750 district municipalities. So, there might be in total 2,103 municipalities in Turkey. However, the process of the amendment is ongoing as this book is about to be published.

Source: T.C. İçişleri Bakanlığı, Belediye İstatistikleri, www.mahallidareler.gov.tr/Belediye/BELEDİYE_ISTATİSTİK.xls, December 24, 2007.

There are 16 metropolitan municipalities in Turkey (Table 5; 6; 7). And they are administered by two-tier model. In this model, metropolitan municipalities act as a first tier and metropolitan district and other second-tier municipalities act as a second tier of this model. Basic differences between the two-tier and one-tier system are functional qualities, staffing possibilities and diversity, and budgeting

responsibilities. Depending on the number of functions and responsibilities, metropolitan municipalities have sufficient budgetary and administrative capacities.

TABLE 5: METROPOLITAN MUNICIPALITIES AND THEIR POPULATIONS (2007)

	Metropolitan Municipalities	Total Population
1	Adana	1,514,364
2	Ankara	4,127,051
3	Antalya	877,954
4	Bursa	1,760,022
5	Diyarbakır	778,343
6	Erzurum	361,160
7	Eskişehir	581,939
8	Gaziantep	1,209,499
9	Istanbul	12,460,170
10	İzmir	3,139,745
11	İzmit	1,346,092
12	Kayseri	872,211
13	Konya	973,791
14	Mersin	801,318
15	Sakarya	531,219
16	Samsun	504,091
Total		31,838,960

Source: Ministry of Interior, "Population of metropolitan municipalities", www.mahallidareler.gov.tr/Home/Dokumanlar/nufus.pdf, April 03, 2008.

Istanbul, Ankara and Izmir are the three most-populated cities of Turkey. Not only was population a criterion, but also political and economic factors were taken into account in the formation of these metropolitan municipalities.

TABLE 6: SHARE of METROPOLITAN MUNICIPALITIES IN TOTAL MUNICIPAL POPULATION (2007)

	Population*	Percentage
Metropolitan municipalities	31,838,960	54.34
Other municipalities	26,742,555	45.66
Total municipal population	58,581,515	100%

Source: Ministry of Interior, www.mahallidareler.gov.tr/Home/Dokumanlar/nufus.pdf, April 03, 2008.

Population within municipal boundaries is increasing primarily due to rural migration into urban areas. As of 2007, the share of municipalities in total population is 82.99%. 68.72% of total municipalities have less than 5,000 dwellers. Except for provincial and district municipalities, 943 municipalities have less than 2,000 dwellers. 1,262 municipalities have dwellers numbering between 2,000 and 5,000. 395 municipalities have dwellers between 5,000 and 10,000. Generally, 69% of total municipalities have less than 5,000 dwellers and 81% of total municipalities have less than 10,000 dwellers. Whereas 2,600 municipalities that have less than 10,000 dwellers serve 7.8 million population, the remaining 609 municipalities, excluding metropolitan ones, serve 50 million of population (T.C. İçişleri Bakanlığı 2008).

CHAPTER 2

TYPES OF LOCAL GOVERNMENT

There are four types of local government, including metropolitan municipalities in Turkey. Special provincial administrations cover areas that fall neither within municipal nor village boundaries; municipalities have been established in areas which have more than 5,000 inhabitants. Metropolitan municipalities are main urban area municipalities, and villages are governed by the headman(mukhtar) and elected elders' council.

SPECIAL PROVINCIAL ADMINISTRATIONS

Special provincial administrations are field administrations established to carry out tasks in the regions beyond municipal boundaries, within their respective provinces. Once a province, which is the agent of the central government, is established by law, the special provincial administration, which is a local government, is automatically established, too.

Special provincial administrations are administratively and financially autonomous corporate public entities with legal personality. Decision making organs are formed by the provincial general electorate through local elections to provide common local assigned services within their jurisdictions. Two properties of the provinces in Turkish administrative system must not be confused. First, as a general administration of the provinces, they are governed by the principle of devolution of wider powers, which means that they are extensions of central government in provinces. The reference law for general administrations of provinces is the law numbered 5442 of 1949. Second, as a special provincial administration, they are governed by the principle of decentralization, which means that they are local administrations. The reference law for Special Provincial Administration is the law numbered 5302 of 2005.

Current reference law of the special provincial administrations is the "Special Provincial Administration Law" (No. 5302 of 2005). The reference law for special

provincial administrations was first issued as a temporary law in 1913, and took its name by the former law no. 3360 accepted in 1987.

Historical Background to Special Provincial Administration

The foundation of today's special provincial administrations was laid within the Regulation of Provinces of 1864. An amendment was made to the provincial organization of the Empire by these regulations, and the provincial administrative system was established to replace the existing states -eyalet- with new provincial -vilayet- system.

This system included both general and special administrative units in provinces. Initially, Nis, Silistre and Vidin states were redesigned as Tuna province and, thereafter, this system was applied to the whole empire. Provinces as autonomous decentralized administrative units were decided upon for the first time by the constitution of 1876. Finally, the Temporary Law on General Administration of Provinces was issued in 1913, and this was eventually revised and simplified in 1987 by the law numbered 3360, named the Special Provincial Administration Law. The current reference law for special provincial administrations is the Special Provincial Administration Law (No. 5302 of 2005).

Special provincial administrations carried out important duties in the first years of the Republic. However, many tasks belonging to these units were later undertaken by various ministries and central administrative organizations as the relevant organizational laws appeared on the statute books. Following debate, the latest regulations on special provincial administrations have aimed at making them more effective local governments.

The Rights and Duties of Special Provincial Administrations

The rights and duties of special provincial administrations are split into two categories (Article 6): (1) within provincial boundaries and (2) outside of municipal boundaries.

Within provincial boundaries: health, agriculture, industry and trade, provincial environmental order planning, procurement and housing, protection of soil and avoidance of erosion, culture, art and tourism, social and help services, micro-credits for the poor, orphanages, land supply, construction and maintenance of elementary and secondary schools.

Outside of municipal boundaries: Development and construction, routes, water, sewerage, solid waste, environment, emergency and rescuing, support for forest villages, forestation, parks and recreation.

Special provincial administrations' priorities are set according to fiscal properties, necessity for services and regions' level of development. The special provincial administration has three levels of decision-making: provincial council, provincial executive committee and governor.

Provincial Council

The provincial council is the ultimate decision-making organ of the special provincial administration. It is composed of members elected on behalf of the districts (Article 9). The number of members to be elected by the provincial council varies according to the number of districts in that city and the population of the districts. Majority rule was employed in provincial council elections until 1960. Thereafter, a proportional voting system was introduced in elections which are held every five years.

The chairman of the provincial council is elected among and by the members of the council (Article 11). The main role of the chairman is to facilitate and to moderate provincial council activities. The provincial council convenes in the first week of every month, except for one-month vacation determined by the council. Provincial council meetings are open to the public (Article 12). The agenda of the provincial council is set by the chairman and announced to the public by various means (Article 13). The provincial council convenes and takes decisions according to majority rule, however, there is a minimum threshold of $\frac{1}{4}$ for any decision to be taken (Article 14). The governor does not have any right of approval in relation to council decisions. Yet council is responsible for sending the decisions to the governor within 15 days. The governor has a right to send the decisions, which are contrary to the law, back to the council within 7 days (Article 15).

The main duties of provincial council are as follows (Article 10):

- To take decisions concerning duties assigned to the special provincial administration law,
- To discuss and decide upon strategic planning, investment and activity programs and personnel performance measurement,
- To accept the budget and final accounts belonging to the provincial local administration,
- To take decisions related to borrowing,
- To discuss and to decide upon provincial environmental order planning and development and construction plans outside of municipal boundaries,
- To form management bodies like firms and corporations within budget,
- To manage properties belonging to the provincial local administration,

- To approve conditional donations,
- To approve special provincial administration's orders,
- To assign privilege to special provincial administration,
- To approve construct-manage-transfer models of investments,
- To elect provincial executive committee from among its members, and
- To decide upon cooperation with the national and international administrative units and associations.

Criteria for the dissolution of the provincial council are as such (Article 22): When the provincial council fails to perform the duties assigned by law, or does not perform them on time; and when it takes decisions related to political issues, which are not part of its functions. The dissolution is made by a communiqué of the Ministry of Interior and decision of the State Council.

The provincial council works with specialized committees, composed of five-to-seven council members formed in initial meetings every year. These committees can utilize professional experts in their work, and their reports are transparent and accountable, and communicated to the public by various means (Article 16). The provincial council exercises its supervisory power by means of questions, general discussions and evaluation of activity reports (Article 18).

Provincial Executive Committee

The provincial executive committee is the secondary decision-making and consulting body of special provincial administration. The executive committee is headed by the Governor and is composed of ten members, five of them being from the members of the provincial council and the other five being directors of the special provincial administration. The term of office of the members of the city executive committee is 1 year, and re-election is possible for the members who complete their terms. Each of the members must be from different districts (Article 25).

The main duties of the executive committee are as follows (Article 26):

- The committee meets at least once a week under the chairmanship of the governor.
- The agenda of the committee is set up by the governor.
- The committee discusses and evaluates the strategic plan, annual program and budgetary issues.
- The committee takes decisions about nationalization according to the annual program.

- The committee executes fines and penalties prescribed by law.
- It also takes decisions related to real properties.
- It also submits opinions in some cases assigned by the governor.
- The governor may prompt a review of the decisions of the committee in the next committee meeting.
- If the committee adheres to its decision, it can override the governor's veto. In this case, the governor can halt the execution of the decision and must apply to the administrative court within ten days. State Council rules on appeals within 60 days (Article 27).

Governor

The governor is the head of both general and special administrations of the province and represents the legal personality of the province (Article 29). A governor is appointed by a proposal of the Ministry of Interior, the decision of the Council of Ministers (Cabinet) and approval of the President.

The duties of the governor are as follows (Article 30):

- To administer the organization of the special provincial administration,
- To implement strategic plans, to form institutional strategies, to prepare the budget, to prepare, carry out, audit and evaluate measures for the performance of special provincial administration and personnel,
- To submit related reports to the Council,
- To carry out services brought under the responsibility of the administration, to take measures as appropriate to protect the rights and interests of the special provincial administration,
- To implement the decisions of the provincial council and the executive committee, and to examine the results; To employ/implement the budget, and
- To represent the provincial local administration before the Courts of Judiciary and in official ceremonies.

The strategic plan is prepared by the governor in consultation with universities, professional organizations and related non-governmental organizations, and then it is approved by the Council and implemented (Article 31).

After the governor, the most important administrator of a special provincial administration is the Secretary General. The secretary general is appointed by the Ministry of the Interior upon the governor's proposal. The secretary general is

responsible to the Governor and manages the organization of special provincial administration in the name of the Governor (Article 35).

The Budget of the Provincial Administration

The budget of the special provincial administration is prepared according to the strategic plan. The budget manifests the fiscal year and the predictions for the following two years and provides for the collection of revenue and operational expenditure. Detailed expenditure and finance programs are attached to the budget. No expenditures can be made unless specified in the budget. The governor and the other officials with spending authority are responsible for the economic, efficient and effective use of the budgetary amounts (Article 44).

According to the "Law on General Budget Tax Revenue Share Distribution to Municipalities and Special Provincial Administrations" (No. 2380 of 1981), special provincial administrations receive 1.12% of the general budget tax revenues based on respective populations. Special provincial administrations can undertake both domestic and foreign borrowings based on specific rules and regulations and export bonds (Article 51). The special provincial administrations can run equity corporations in their respective functional areas (Article 52).

Their main revenues can be summarised as follows (Article 42):

- shares from the revenues of the general State Budget;
- taxes, duties, charges and user fees prescribed by law;
- revenues arising out of utilization of moveable and immovable property;
- interest and fine revenues;
- donations; and
- income of yields from investments and activities and other revenues.

Whilst main expenditures are (Article 43):

- expenditures for the supply and maintenance of general assets;
- employee compensations;
- remunerations for the elected officials;
- expenses on infrastructure;
- social services and aid expenditures;
- ceremony, hospitality and other.
-

MUNICIPALITIES

A municipality is a form of local government established to meet the common local needs of city dwellers. Municipalities are administratively and financially autonomous corporate public entities with legal personality. Decision making bodies are formed by the provincial general electorate through local elections to provide common local services assigned to them within their jurisdictions.

Municipalities are more important than other types of local government units in that they are close to local people, their leaders are elected and they have a crucial role in rendering local services.

The number of municipalities has been on the increase in Turkey since the inception of the Republic. The primary reason for this is income revenues and personnel cadres utilized in public services and local development efforts. According to the 2000 census, about 78% of Turkey's population lives within the boundaries of municipalities comparing to 27% in 1950. The number of municipalities prior to the Republican Era was 436 and increases from that date are shown in Table 7 below:

TABLE 7: THE NUMBER OF MUNICIPALITIES ACCORDING TO YEARS

Years	Numbers
1923	436
1930	429
1940	549
1950	628
1960	995
1970	1,303
1980	1,724
1990	2,053
1995	2,801
1998	3,215
2000	3,216
2007	3,225

As of 2007, there are 3,225 municipalities in Turkey; 16 of these are metropolitan municipalities; 100 are metropolitan district municipalities; 283 are

metropolitan first-lower tier municipalities; 65 are provincial municipalities; 750 are district municipalities and 2,011 are sub-districts (Townships).⁷

The Municipality Law numbered 1580 of 1930 was replaced by a new municipality law in 2005. The former law required a minimum population of 2000 for the formation of a municipality, which then had to operate in a strong mayor-weak council structure, and to determine and list municipality functions according to their revenues. The new reference law for municipalities in Turkey is "Municipal Law" numbered 5393 of 2005. This law frames the establishment, administration, functioning and rights and duties of municipalities.

The First Application of Municipalities

The Ottoman Empire adopted the concept of Turkish Municipalities from the French commune system. The first organization of municipalities in Turkey took place following the Tanzimat reforms. The first municipality "İstanbul Şehremaneti" was established in 1854 and was governed by a mayor, "Şehremini," and a "council" of 12 members appointed by the Sultan. The municipality performed some services that had previously been carried out by a Kadı, who was responsible for local services and judicial affairs. After a year a new appointed Municipal Organization Commission, İntizam-ı Şehir Komisyonu, was established in 1855 to make reforms and initiate new projects. In 1858, this commission proposed to divide Istanbul into 14 municipalities. The Şehremaneti would be like a modern metropolitan municipality. The first of these 14 municipalities, "The Sixth Municipality" was established in Beyoğlu and Galata (Vural 2004). The name "The Sixth Municipality" was adopted from the French "Sixième Arrondissement" of Paris because, the founders of Tanzimat, Mustafa Reşit Paşa and Ali Paşa, had lived in that modern part of Paris. Both the mayor and the council were appointed by the Sultan. Foreigners also participated in municipal council meetings as advisors. The official languages of the municipality were Ottoman Turkish and French (Eryılmaz 1992).

Although the Sixth Municipality would become a branch of Şehremaneti, it was directly attached to the Sublime Port. The government reserved important amounts of resources for this municipality. Its main duties were to construct and protect the roads, refuse collection and sewage system; and to illuminate and

⁷ According to the results of the Turkish Statistics Institute (TURKSTAT) Address-Based Population Recording System Census, the government redesigns the municipalities by the Law No. 5747 of March 06, 2008. The government, by this law, envisages abolishment of legal status of some of municipalities and first-lower tier municipalities, whose population is under 2,000 that would reduce the number of municipalities. Finally the law envisages 16 metropolitan municipalities; 142 district municipalities in metropolitan municipalities' regions; 65 provincial municipalities; and 750 district municipalities. So, there might be in total 2,103 municipalities in Turkey. However, the process of the amendment is ongoing as this book is about to be published.

clean the streets. Some of the public services were carried out by local and foreign privileged companies. Those services were the tramway, water, gas and telephone.

By 1868 regulation led to the formation of municipalities in the provinces and in 1877 municipalities were founded in port cities like Thessaloniki, Beirut and Izmir. The 1876 Constitution prescribed the carrying out of provincial and capital city's municipal tasks by locally elected councils. After the announcement of the second constitutional monarchy in 1908, it was decided that Istanbul would be divided into 20 municipalities. However, Şehremaneti was instead divided into 9 branches. In 1909, Istanbul became a province and the role of a governor was assigned to the Şehremini.

The existing Village Act was codified in 1924, and the former Municipality Act numbered 1580 was codified in 1930. Ottoman cities had been transformed to a great extent starting from the early 19th century. In particular the port cities, crucial to relations with the outside world, had undergone significant structural changes. Because of increasing economic relations with Europe, Eastern Mediterranean port cities had to reorganize themselves to be able to provide transportation and other services appropriate for economic activities of the time. And this made cities and municipalities change their traditional administrative and organizational structures. Therefore, unlike the West, where it developed out of local pressure groups, changes occurred in the Ottoman Administration due to pressures from outside powers.

Even though the municipal law numbered 1580 was not criticized at the time in terms of service diversity, the 1930s' governing mentality had become obsolete for the sustenance of cities. Modern municipal administrations are formed to unite and administer the services provided by various organizations, within a structure aimed at increasing the capacity of local government to provide appropriate local services.

The decrees of the 2005 Municipal Law have increased thresholds of local autonomy in favor of democracy with the emphasis on administrative and fiscal capabilities.

Establishment

According to the Municipal Law, municipalities are established at the centers of provinces and districts whatever their population, and in settlements where the population is more than 5,000.

Municipalities cannot be established within 5,000 meters from the nearest municipal border, potable water basins and protected zones (Article 4).

Borders

Municipal borders are determined by the municipal council decision upon district governor's consultation and the governor's approval (Article 6).

Conditions for Suspension of Legal Personality

The legal personality of a municipality is taken away and annexed to another municipality upon consultation with the State Council and a proposal from the Ministry of the Interior with a collective decree approved by the president if there are less than 5,000 meters to an affiliated provincial or district municipality.

Municipalities with less than 2,000 population are transformed to villages upon State Council's consultation and Ministry of Interior's proposal with collective decree approved by the President (Article 11).

The Rights and Duties of Municipalities

Municipalities have rights and duties within their boundaries. Municipal Council may decide to provide services to contiguous areas. Municipal services are provided at closest proximity to public with most appropriate methods.

Municipalities provide or arrange provision of local and common services such as (Article 14):

- planning and development;
- water and sewerage;
- transportation and other infrastructure services;
- geographical urban information system;
- environment and health;
- sanitation and solid waste;
- municipal police, fire department, emergency and rescue, city traffic, cemeteries;
- forestation, parks and recreation;
- housing;
- culture and art, tourism and advertising, youth and sports;
- social services and aids, wedlock, vocational training;

- economic and trade development services.
- metropolitan municipalities and all municipalities with a population over 50,000 must provide shelters for women and children in need.
- construction and maintenance of public schools;
- establishment and management of health institutions;
- protection, maintenance and revitalization of natural, cultural and historical entities;
- supporting students and sport activities when needed; and
- food banking.

Municipalities' priorities are set according to fiscal properties and necessity for services.

Municipalities may conduct public surveys to research public opinion about local services.

Organs of Municipality

A municipality has three organs: Municipal Council, Municipal Executive Committee and Mayor.

Municipal Council

The council is the ultimate decision-making body of the municipality. It is composed of members elected amongst the municipal population (Article 17). The office period of the council is five years. The number of members of municipal councils varies between 9 and 55 depending on the municipal population. If the population is less than 10.000, there are 9 members; if the population exceeds 1 million, there are 55 members. An equal number of substitute members is also elected. The head of the council is responsible for keeping order in council meetings (Article 19).

Municipal council meetings take place during 11 months within a year, a month being allotted for vacation. The council meets in the first week of every month according to its predetermined schedule. Council meetings are open to public. However, with the decision of the majority of meeting attendees, upon reasonable proposal of either the head of the council or any member, the council can hold a closed-to-public meeting. Minutes of the council meetings are prepared by the responsible personnel and signed by the head and the clerk to

the council.. With the decision of the council, the council meetings can be recorded using audio or video equipment (Article 20).

The monthly agenda of the council is prepared by the Mayor for the first day of the month, and the mayor informs the council members three days ahead and announces the agenda to the public by using various channels of communication (Article 21).

Municipal councils convene with the majority decision of the total number of council members, and decisions are taken by the majority vote of the participant members (Article 22). If the mayor approves the decision, than it is confirmed, regardless of council members' majority decision to review the issue. Confirmed decisions are sent to the highest local civil administrative superintendent within seven days at most. Decisions are not executed unless they are sent to the civil administrative superintendent. Confirmed council decisions are announced to the public by appropriate means of communication within seven days. The civil administrative superintendent can apply to the administrative courts regarding any decisions seen to be unlawful (Article 23).

The municipal council can establish expert committees (Article 24), each having a minimum of 3 and maximum of 5 council members. The specialized committees are formed consistent with the proportion of partisan and independent council members, to the total number of council members.

Mukhtars (headmen) of neighborhood administrations, supervisors of provincial public bodies and representatives of vocational public schools, public universities, labor unions and civil society organizations in provinces can attend the specialized committee meetings and submit their opinions on issues related to their functions and areas of interest without having voting rights. Committees can also make use of experts.

Committee reports are available to the public, announced using various channels of communication, and can be acquired at prices not exceeding the cost.

The municipal council uses its rights to investigate and demand information by assessing activity reports, and by using investigation committee, enquiry, general discussions and interpellation methods (Article 26).

The municipal council is dissolved upon the Ministry of Interior's declaration and State Council's decision if (Article 30):

- It fails to fulfill on time the tasks given to it by law and if this, subsequently, delays or halts municipal functions, and
- It takes decisions on political issues not related to assigned tasks to municipalities by law.

The main rights and duties of the municipal council are:

- To discuss and approve the strategic plan, investment and work programs, municipal activities and personnel performance measurement,
- To discuss and approve architectural plans within the municipality,
- To take decisions to borrow; to buy, sell, rent and set price tariffs for real property; to accept conditional donations,
- To decide on the establishment of trade partnerships and budget management,
- To name squares, boulevards, streets, parks, foundations, etc; to decide on establishing, abolishing and determining its boundaries with its names; and to accept the flag and emblem of the city, etc. These decisions acquire legal status with the approval of civil administrative superintendent,
- To decide on establishing, participating and leaving other settlement administrative units, and
- To cooperate with Turkish and international municipalities and local governments with the permission of the Ministry of Interior;
- to form sister city ties;
- to decide on initiating activities and projects for culture, art and sport;
- to develop economic and social ties; and
- to allocate land and buildings.

Municipal Executive Committee

The municipal executive committee is both the decision making and the counseling organ of municipality. The municipal executive committee, under the mayor's lead, is composed of (Article 33):

- seven members,
- three of whom are elected for one year term in municipal council meeting among the council members by using secret ballots in provincial municipalities as well as in municipalities with more than 100,000 city-dwellers;
- the rest of them are a financial services supervisor and two members appointed by the mayor from the department supervisors for a one year term.

In the rest of the municipalities, five members, two of whom are elected for one year term in municipal council meeting among the council members by using

secret ballots; the rest of them are a financial services supervisor and a member appointed by the mayor among the department supervisors for a one year term.

The main rights and duties of municipal executive committee are as follows (Article 34):

- To examine the strategic plan, annual working program, budget and final accounts and report to the Municipal Council,
- To transfer the budgets; to enforce punishments prescribed by law; to implement council decisions on buying, allocating and bartering real property, and
- To fulfill its functions prescribed in other laws.

The municipal executive committee holds meetings at least once a week at a predetermined day and time. The Mayor can call emergency meetings; the committee convenes with a majority of the members and takes decisions with a majority of participants; the agenda for all meetings is prepared by the Mayor (Article 35).

Mayor

The Mayor is the head and representative of legal personality of the municipality (Article 37). Until 1963 Mayors were elected by the municipal council. Nowadays, the Mayor is elected by the city dwellers in one-time elections, and assumes his duty after being elected directly by the municipal electorate at local elections held every 5 years.

The main rights and duties of a Mayor include(Article 38):

- administration and leadership of the municipality;
- protection of rights and interests of the municipality;
- to manage the municipality in accordance with the strategic plan;
- to draw up the institutional strategies of the municipal administration;
- to prepare, enforce, monitor and assess budget, municipal activities and personnel performance measurement according to these strategies and submit reports when needed to the council.

One of the new aspects of the Municipality Law is that municipalities with more than 50,000 dwellers are required to have a Strategic Plan and Performance Evaluation Program. Municipalities with less than 50,000 dwellers are not required to have strategic plans. Within six months following the local elections, mayors prepare and submit to the council the development plan and program, a

strategic plan consistent with the regional plan and the annual performance program must be drawn up before the end of the year.

The strategic plan is prepared in consultation with universities, vocational chambers and civil society organizations, and it acquires legal status after it is approved by the council. The strategic plan and performance evaluation program play an important role in budget preparation, hence they are discussed and approved in the council before the budget is allocated (Article 41).

If they are accused of unlawful activity related to their functional responsibilities and prosecuted, municipal organs and their members can be suspended by the Minister of the Interior until a verdict is announced (Article 47).

Municipal Budget

The municipal Budget is prepared in accordance with the strategic plan and performance program of the municipality. The budget includes predictions for the fiscal year as well as for two more consecutive years. Detailed expenditure and funding programs are included in the budget. The budget year is the same as the State fiscal year. Extra-budgetary expenditures are not acceptable.

The Mayor and other officials responsible for expenditure are accountable for efficient, sparing and proper conduct of spending (Article 61).

Municipal borrowings and economic activities are important issues. Municipalities can borrow and export bonds with the purpose of meeting required functional and services expenditures (Article 68). External debts can only be incurred to finance projects that are part of a municipality's investment program within the framework of the Public Funding and Debt Management Regulation Law numbered 4749.

The budget is a decision of the Council that displays the estimations of municipal revenues and expenses, and permits the collection of revenues, carrying out services and expenses. The draft budget prepared by the Mayor is presented to the executive committee before the first day of September and is sent to the Ministry of Interior. The ministry consolidates the forecasts of municipality budget and, in line with the Public Finance Management and Control Law (No. 5018 of 2003), sends the draft to the Ministry of Finance by the end of September to be included in the draft budget of the central administration. The committee examines the budget and presents it with opinions to the Municipality Council before the first day of November. The Council accepts the draft budget, either in the same form or with changes, before the end of the year. Nevertheless, the Council cannot make changes of expenditure increase or revenue decrease that would affect the budget balance. The approved budget becomes effective upon beginning of the new fiscal year (Article 62). Special provincial administrations receive 1.12% of the general budget tax revenues based on respective populations.

According to the "Law on General Budget Tax Revenue Share Distribution to Municipalities and Special Provincial Administrations" (No. 2380 of 1981), municipalities receive 9.25% of the general budget tax revenues based on respective populations. That proportion has been reduced to 6% since 2003 (Ulusoy & Tekin 2007).

METROPOLITAN MUNICIPALITIES

Initial regulations for metropolitan cities in Turkey were passed in 1984 first by the decree law and later by the Law on the Administration of Metropolitan Municipalities numbered 3030 based on the article of the 1982 Constitution that prescribes "special administrative arrangements may be introduced by law for larger urban centers." Relevant to all municipalities within the borders of metropolitan municipalities, the Metropolitan Municipality Law numbered 5216 was designed to regulate the legal status of metropolitan municipality administrations and to maintain the provision of services in a planned, programmed, efficient, effective and harmonious manner.

A metropolitan municipality can be defined as "a municipality which has more than three district or first-lower-tier municipalities⁸ within its boundaries". As can be seen from the definition, a two-tier system is inherent in a metropolitan municipality which can also be considered as a superior local body formed to regulate the entire metropolitan area.

A metropolitan municipality must have at least three district or lower tier municipalities within its borders (Article 3). A provincial municipality that has more than 750,000 people residing within its borders or within 10,000 meters around its borders according to the last available census, can be turned into a metropolitan municipality by law, when physical conditions and levels of economic development have been taken into consideration (Article 4).

A district municipality is a municipality within the borders of a metropolitan municipality. Today, there are 16 metropolitan municipalities in Turkey. These are Adana, Ankara, Antalya, Bursa, Diyarbakir, Erzurum, Eskisehir, Gaziantep, Izmir, Istanbul, Kayseri, Kocaeli, Konya, Mersin, Samsun and Sakarya.

The decision-making bodies of metropolitan municipalities are the metropolitan municipal council, the metropolitan municipal executive committee and the metropolitan municipal mayor. The metropolitan municipal council is formed with the participation of 1/5 of all district or lower-tier municipal council members in local elections. Mayors of district and lower-tier municipalities are natural members of the metropolitan municipal council (Article 12).

⁸ The Law No. 5747 of March 06, 2008 envisages abolishment of legal status of first-lower tier municipalities.

Metropolitan municipal boundaries are drawn up according to provincial territorial jurisdictions in Istanbul and Kocaeli. The territories of other metropolitan municipalities are determined according to the principle of a circle drawn with the governor's office as center. According to this principle, in province with up to one million population the radius of the circle is 20 km; in provinces with up to two million population the radius is 30 km; and in provinces with more than two million population the radius is 50 km (Provincial Clause 2).

Main Duties and Responsibilities of Metropolitan Municipalities

Main duties and responsibilities of metropolitan municipalities are (Article 7):

- To prepare a strategic plan, goals, investment programs and budget by consulting district and lower-tier municipalities; to prepare, approve and implement main development and construction plans of the city and contiguous areas with measures of 1/5,000 and 1/25,000 in accordance with the provincial environmental order plan; to prepare application plans in accordance with development and construction plans;
- To prepare and implement metropolitan master plan for transportation; to plan and coordinate access and public transportation services on land, sea, water and railroads; to regulate the traffic; to establish geographical and urban information system;
- To protect the environment, agricultural lands and water basins in accordance with sustainable development principle; forestation; to take preventive measures against environmental pollution; to make and implement solid waste management plans;
- To construct and manage passenger and freight stations and parking garages; to construct and run public recreational parks, entertainment and sports centers, libraries, museums, zoos, animal shelters;
- To construct, manage and maintain buildings for health, education and cultural services.
- To protect, maintain and restore cultural and historical items and places;
- To construct, run or contract out the construction and management of public transport; to license public transport including taxi and service vehicles on land and sea;
- To construct and run water basins, water and sewage services; to maintain and restore rivers; to market natural spring waters and refined, treated waters;

- To allocate land for, construct and run cemeteries; to provide funeral services;
- To construct and manage wholesale markets for fruits and vegetables, and slaughterhouses for wholesale meat markets;
- To make plans and preparations at the metropolitan level for natural disasters in accordance with provincial-level plans; to provide vehicle, material and logistic support to other disaster areas; to run fire and ambulance services; to identify production sites and stores of explosives; and
- To construct buildings for, develop and run health centers, hospitals, cultural and social services for adults, elderly, disabled, women, youth and children; to build, develop and run vocational training courses and excellence centers, and collaborate with universities, institutes, vocational schools, public and civil society organizations.

Duties and Responsibilities of District Municipalities

The district municipality which falls within the territorial borders of a metropolitan city is obliged (Article 7):

- To perform the tasks which are not assigned to metropolitan municipalities but assigned by law to the standard (ordinary) ones;
- To collect solid waste and transport it to a transfer station, in accordance with the metropolitan solid waste management plan;
- To license and audit such businesses as shops, markets, groceries, restaurants, patisseries; 2nd and 3rd grade businesses that would negatively affect their environment, whether physically, mentally or socially; and, public recreation and entertainment facilities,;
- To construct parking garages, sports and entertainment centers and parks;
- To provide social and cultural services to the elderly, disabled, women, adults and children;
- To open vocational training institutes and technical high schools;
- To build, maintain and manage education, health and cultural centers;
- To protect cultural, historical and natural sites and creatures; and
- To run funeral services.

The metropolitan municipality has authority to audit construction and development implementations of district municipalities. This auditing authority includes demanding information, documents and samples on pertinent topics

when necessary. Any information or document requested must be delivered in a maximum of 15 days. Universities and public vocational centers can make use of the information and documents obtained for inspection of the development and construction implementation.

Up to three months is given for pertinent municipalities to remedy the deficiencies and irregularities identified during the auditing process. If problems are not solved within the given time period, the metropolitan administration has authority to step in (Article 11).

Bodies of Metropolitan Municipality

A metropolitan municipality has three decision-making bodies: metropolitan municipal council, metropolitan executive committee and metropolitan mayor.

Metropolitan Municipal Council

The council is the ultimate decision-making organ of the metropolitan municipality. It is composed of one-fifth of the members of district and lower-tier municipalities within the metropolitan boundaries who have had the most number of votes, and the mayors of these municipalities. The council is chaired by the metropolitan mayor (Article 12). The office period of the council is five years. The metropolitan municipal council meets in the second week of every month according to its predetermined schedule in a regular meeting place (Article 13).

The metropolitan municipal council is formed with the participation of 1/5 of all district or lower-tier municipal council members in local elections. The head of the metropolitan municipal council is a mayor of the metropolitan municipality and mayors of district municipalities are natural members of the metropolitan municipal council. Once approved and confirmed, all decisions are sent to the highest local civil administrative superintendent within seven days at most. Decisions are not executed unless they have been sent to the civil administrative superintendent -Governor-. The mayor can appeal to the administrative courts against confirmed decisions which have been forced upon him by the council. The civil administrative superintendent can apply to the administrative courts within 10 days against any decisions he feels are unlawful (Article 14).

District municipal council decisions, except for the budget and construction/development decisions, are sent to the mayor of the metropolitan municipality with supporting documents. The metropolitan mayor can demand a review of decisions considered unlawful within seven days by stating a valid reason for this review. If the council rules, with a majority of its members, that the decision shall stand, then the decision is confirmed (Article 14).

The confirmed decisions are sent to the metropolitan municipality within seven days. The mayor can appeal to administrative judiciary organs within ten days asking for the revocation of a confirmed decision (Article 14).

The development-related decisions of the district municipalities within the metropolitan municipality are sent to the metropolitan council within three months to be checked for their compatibility with the metropolitan development plan. They are then confirmed either in their original format, or in a modified version, and sent to the metropolitan mayor (Article 14).

Confirmed decisions of the metropolitan municipality council and district municipality council are sent to the highest local civil administrative superintendent within seven days at most. Decisions are not executed unless they have been sent to the civil administrative superintendent.⁹

The metropolitan municipal council can establish specialized committees, each having at least five and at most nine council members. A committee can make use of experts in its work. Depending on the context such experts could include, representatives of public organizations, vocational public schools, public universities, labor unions or specialized civil society organizations who attend the specialized committee meetings and submit their opinions on issues related to their speciality and areas of interest without having voting rights (Article 15).

Metropolitan Executive Committee

The metropolitan executive committee is both an organ of decision making and execution, and an advisory body to the municipality. The metropolitan executive committee consists of five metropolitan council members, elected by the council using secret ballots in the first regular meeting of the year under the leadership of the mayor, and five appointees, one being secretary-general and another chief finance officer, chosen by the mayor from amongst the department supervisors (Article 16). Committee meetings from which the mayor is absent are chaired by the secretary-general.

Metropolitan Mayor

The mayor is the head of the metropolitan administration and the representative of its legal personality. A metropolitan mayor is elected directly by voters residing within the metropolitan boundaries (Article 17). The term of office for the mayor is 5 years. The main duties and responsibilities of a metropolitan mayor are as follows (Article 18):

⁹ The Law No. 5747 of March 06, 2008 Article 3.

- to lead and administers the metropolitan organization;
- to protect the rights and interests of the city and municipality;
- to lead the municipality in accordance with the strategic plan;
- to form the corporate strategies of the metropolitan administration;
- to prepare and execute the budget according to the strategies;
- to determine, oversee and assess performance measurement within metropolitan activities and personnel;
- to submit reports related to all areas to the council;
- to chair the council and executive committee;
- to execute decisions taken by these bodies;
- to ensure the metropolitan municipality and dependent organizations, as well as enterprises, are efficiently and effectively managed;
- to prepare budget design, proposals of modifications on the budget and final draft of budget tables;
- to appoint metropolitan personnel, audit metropolitan and dependent organizations.

Personnel within Metropolitan Municipalities

The core staff of a metropolitan municipality is comprised of secretariat-general, together with department heads and directorates. Establishment, abolition and merging of units is undertaken according to metropolitan council decisions by virtue of the principle of administrative and financial autonomy.

The provision of metropolitan services are undertaken by the secretary-general and deputies on behalf of the mayor and under the directives and responsibility of the mayor in accordance with legal statutes, metropolitan mission and policies, the strategic plan and the annual program. The secretary-general is appointed by the Minister of Interior following a proposal from the mayor.

There are no deputies for the metropolitan mayor. For the efficient and effective delivery of services, deputies are appointed for the secretary-general, at most five in metropolitan municipalities with more than three million population and at most three in others.

Budget of Metropolitan Municipalities

Metropolitan and district municipalities' budgets are submitted to the metropolitan council, and admitted in original or modified forms after an assessment of the integrity of investments and services of the metropolitan area has taken place. All three budgets are discussed together at the same meeting and finalized as a single draft budget (Article 25). The main revenues of a metropolitan municipality are as follows (Article 23):

- a proportion of the shares of district and upper-tier municipalities from the state general tax revenues at rates determined by the Cabinet of Ministers and set by the Bank of Provinces;
- 5% share from the general state revenues collected within the metropolitan boundaries, estimated by the Ministry of Finance and transferred in the following month;
- 20% of the Entertainment Taxes, including that of horse race lotteries, is given to the local municipality, 30% of it is distributed to district and first-lower tier municipalities according to population formula, and 50% of the rest is a share of metropolitan municipality;
- taxes, charges and user fees received in metropolitan municipal facilities like social and cultural centers, entertainment and vocational sites, green lawn stadiums;
- announcement and commercial advertisement taxes;
- amounts received as surpluses of dependent organizations; and
- shares from the net profits of metropolitan municipality's economic enterprises at rates determined by the metropolitan council.

The main expenditures of metropolitan municipalities are as follows (Article 24):

- expenses for the supply, maintenance and restoration of metropolitan services buildings and sites;
- wages, paychecks, attendance fees, allowances, transport fares, training expenses, etc for metropolitan personnel and members of selected metropolitan organs;
- aids to district and upper-tier municipalities, expenses of joint projects undertaken with them;
- expenses for the provision of metropolitan police services, fire services and other services; and

- shares and subscription expenses for the firms, establishments and associations participating in the establishment of the metropolitan municipality.

Establishing Firms

A metropolitan municipality can establish capital stock companies in the metropolitan service areas in conformity with methods prescribed in legislation. The secretary-general and personnel in charge of managing the dependent organizations can attend the organizations' board and audit meetings. The metropolitan municipality can run its canteens, parking garages and tea gardens, or it can contract out to firms of which the municipality, or its dependent organizations, have more than 50% shares of to manage them at a price and for a period determined by the council, without having to conform with the State Tender Law numbered 2886 (Article 26).

Inter-Municipal Relations and Services Coordination

Cohesion and coordination in endorsing the district municipalities within the metropolitan area to fulfill their services is the responsibility of the metropolitan municipality. In cases of controversy among the district and metropolitan municipalities in terms of providing services, the metropolitan council has authority to take directive and legislative decisions (Article 27).

Dependent Organizations Established by Legislation

These establishments are ad hoc establishments. Established organizations with this kind of legal personality have general and separate boards of managers as well as having organic ties with the municipality. These kinds of organizations are established to increase efficiency and effectiveness in the provision of services.

A good example in this context came about after the first Law on the Establishment and Functions of the General Directorate of Istanbul Water and Sewage Administration numbered 2560 was passed in 1981. As a result of this law, the General Directorate of Istanbul Water and Sewage Administration (ISKI) was established to provide water and sewage services as well as to build necessary sites, to take over existing ones and to manage the whole from a single directorate.

VILLAGES

Village administrations form the oldest basic unit of Turkish local administration. Villages are traditional settlements where municipal administrations have not yet been founded. A village is a small settlement usually consisting of fewer than 2,000 inhabitants.

Village administrations have a jurisdiction within their boundaries. In general, small settlements, together with their properties and territories, constitute villages. A village administration has three organs: village society, a council of elders, and a head of village-mukhtar. Village administrations perform their activities under the leadership of elected mukhtars and councils of elders. Village society is regarded as a practice of direct democracy. The reference law for village administrations is the Village Act of 1924, numbered 442 which has been in force since then. Their tasks, powers, organs, organization, finance and work principles are defined in this act.

The Turkish Constitution of 1982 clearly states that village administrations are local administrative units having legal personality. In fact, village administrations do not have sufficient personnel, and their organizational structure is evaluated as a real body of local government. Wages of village administration personnel and even mukhtars are paid by the central government. Thus, mukhtars as executive power holders within a village administration work as agents of central government (Soysal 1967).

Historical Development

Village settlements in Anatolia have a long history. Prior to the 16th century, economic and transportation factors played a crucial role in the establishment of villages. Villages were usually founded on caravan routes. With the increase of bandits and brigands on such routes, centers of village settlements started to move. Villagers were divided among themselves over not only security and peace issues, but also in terms of economic, social and geographical matters.

Villages were not regarded as legal entities for a long time in Anatolia. Villages were recognised in legal documents as administrative units for the first time in 1858. Following this, in 1864 the duties of villages were documented in municipal regulations, and thus legal deficiency was remedied. Then people started to elect a mukhtar and council of elders in their villages. The mukhtar and elders' council managed the provision of the services of central government in a village including collecting taxes, providing sanitation services and agricultural works.

Villages were considered as local government and gained legal personality after the establishment of the Turkish Republic and promulgation of Village Law

numbered 442 in 18 March 1924. This law ascribed duties and services such as agriculture, water services, property and housing services, breeding, forestry, health services, welfare services, military service, social services, economic services, postal services, tourism and advertisement services, industry and mining and commercial works to villagers, mukhtars and councils of elders. Revenues were allocated to provide these services, though they shrank in time and became inadequate.

There were discussions of legal initiatives on the establishment, duties and administration of villages in politics, but an important change has not occurred yet, excluding academic research on services.

Establishment of Villages

As of 2006 there were 34,458 villages in Turkey. No increase in the number of villages has been recorded in recent years. Conversely, a decrease in the number of villages is observed from time to time. In other words, as the population of villages reaches an adequate number, they apply for municipality status. According to the Municipality Law numbered 5393, a municipality can only be established with a minimum of 5,000 people dwelling within its boundaries, and settlements with less dwellers are to be considered as villages. And according to the Village Law, to be considered a village a settlement needs to have at most 2,000 and at least 150 residents.¹⁰

The Organs of Village Administration

The organs of village administration are village society, a council of elders and the mukhtar. Reliable information about the decision making and executive organs and the number of personnel does not exist. Village society consists of voters who have resided in the village for not less than six months and who are older than 18 years. The village society elects the council of elders' members and the mukhtar directly from among its members.

The council of elders is an executive and decision-making organ that takes decisions related to enforcement and monitors the discussion of village issues. According to Village Law, the council of elders consists of natural and elected

¹⁰ According to Turkish Statistical Institute (TUIK) Address Based Population Registration System 2007 Population Census results, there are 9 villages with a population of only 1 in Turkey. 16 villages have population of 2; 8 villages have 3; 18 have 4; 21 have 5. According to this census data, these villages will lose their legal status. 89th article of the Village Law states that in order for any settlement to gain village status it has to have at least population of 150. According to TUIK data, there are hundreds of villages whose population is below 20. Sivas is the number one province having this kind of under-populated villages (Zaman, February 22, 2008).

members. The natural members are the principal of the village school, the village imam (priest), the village midwife and the village health official. At least 8 and at most 12 members are elected for the council of elders depending on the latest population census. The council meets at least once a week and discusses relevant issues.

The mukhtar is head of both the council of elders, which is an executive and legislative organ of the village, and the village administration. The mukhtar is a civil servant and a representative of the state in the village. The mukhtar is elected from amongst those villagers with no legal restrictions, with direct franchise and majority votes.

Personnel of Village Administration

The staff of the village administration comprises village guards, the village imam, village health officials, the village clerk, and other employees. The duties of village guards are to protect the life, property and honor of every individual living within the borders of village. At least one village guard is employed in every village. The village guards are hired by a decision of the council of elders, and start to work by order of the district governor and with the knowledge of the mukhtar.

The village employee that provides religious services is called the village imam. Imams whose wages are met by the village are elected by the village society and appointed by order of the mufti.

Personnel in charge of village health services are called village health protectors. Basically this function is undertaken by the central administration.

In accordance with Village Law, the mukhtar's notes, correspondence and minutes of meetings are written by the village clerk. Related law does not define qualifications, functions, methods of appointment, wage and other employee rights for village clerks. In practice, village clerks are appointed by the council of elders and approved by the governor or district governor. If a clerk cannot be found in the village, clerkship is done by a teacher or imam of the village.

Village Services

In accordance with the Village Law numbered 442, the village services are divided in two parts as "obligatory" and "voluntary". The obligatory services are health and sanitation services, public works, road and water services, and works related to agriculture and building schools. These services are usually provided by central government organs. Voluntary services of the village are basically related to the development and improvement of the village.

A project currently underway in an attempt to restructure the provision of village services is KOYDES (Village Infrastructure Support Project), which has been implemented under the auspices of the Directorate General of Local Governments of the Ministry of Internal Affairs. The aim of the KOYDES project is to solve village problems related to potable water, and roads, with minimum costs and in the shortest possible time under the leadership of the governor and district governors, special provincial administration and village service provision units. The project began in April 2005 and is on-going.

Financial Structure of the Village

The main sources of village revenue are:

- a) **Imece** -a concept which describes the action of villagers coming together around a project and doing physical work for no money.
- b) **Salma** - a maximum of 20 Turkish Lira is collected annually from every household depending on their economic circumstances and the degree of their usage of village services. The council of elders announces beforehand the rate, kind and amount of Salma to the village residents. 20 TL, worth two Republican gold coins, was a significant amount when first introduced in the 1920s. But nowadays this amount is not economically burdensome for the residents of villages.

Aids, gifts and donations, real property registered on the name of village, land and vaqf revenues, aid to soldiers' families, other expenses and borrowings are also part of village budget.

Village budgets are prepared in the month of November annually. Predictions of annual revenues and expenses are written in two separate parts and sent to the governor or district governor to be inspected before the end of November. Revenues acquired, amounts spent, crops yielded and the imece collected in a calendar year belong to the budget of that year.

NEIGHBORHOOD ADMINISTRATIONS (MAHALLAS)

A neighborhood, based on the term 'neighbor', could be defined as the smallest residential area with narrow boundaries, whose residents share common social areas. Face to face relations are dominant among its residents (See Türkçe Sözlük 1983; Örnekleriyle Türkçe Sözlük 1996; Çadırçı 1991; Çadırçı 1993; Ortaylı 1974; Ortaylı 1979; Keleş 1980; Geray 1995; Alada 2000; Arikbiğa 2000; Altın 1993). According to the law regulating establishment and elections of Headmen - Mukhtar- and Council of Elders of Neighborhoods in Urban and Rural Areas, neighborhood is defined as 'the smallest residential, social, and administrative

unit located in municipal boundaries, whose mukhtar and council of elders are elected by its residents.'

Unlike all previously discussed forms of local government, in the formation process of neighborhoods no law has yet been passed. Neighborhoods have no legal corporate entity and neither budget nor staff. For these reasons neighborhoods are not counted as one of the local administrative units stated in 127th article of the Constitution.

According to "The Law for Formation of Headmanship and Council of Elderly of Neighborhoods in Cities and Towns" numbered 4541 of 1944, neighborhood administration is an agency assisting local town administrations in providing public services (Gül 1980). As of 2006 there are 17,990 neighborhoods in Turkey.

Brief History of Neighborhood Administrations

Until the middle of the 19th century, when the formation of neighborhood administrations was well established, the neighborhood administrators were the Imam, in a Muslim area, or the priest in non-Muslim neighborhoods. These individuals were responsible for social crises and, therefore, they were the neighborhood administrators (Eryılmaz 1992). An Imam was appointed by the Sultan's ferman -a decree issued by the Sultan- following consultation with the residents. Imams were not paid by the government. Their earnings were mainly from donations and fees obtained for certain services such as funerals (Ergin O. 1936). Another important foundation in neighborhoods was "Avarız Akçası Vakfı". It was a special fund utilized by an elected administrative commission of the neighborhood, and spent for the purpose of providing civic services and emergency support to the residents. For any possible fire there were "mahalle tulumbalari" -neighborhood fire engines-. These fire engines were bought with money collected from residents, but fire engine workers were volunteers. In town and city neighborhoods there were "bekçi" a kind of law enforcement officer protecting a neighborhood. There were also neighborhood doctors employed by municipalities (Ergin O. N. 1995).

Today's neighborhood administration foundation goes back to the formation of the first headmanship of neighborhood in Istanbul in 1829. The first legal regulation concerning neighborhood administration is the "Statue for Formation of Province" -Teşkil-i Vilayet Nizamnamesi- of 1864 (Aytaç 1995; Eryılmaz 1997). In 1913 "The Temporary Law for General Administration of Province" -İdare-i Umumiye-i Vilayet Kanun-u Muvakkati- made void all the legal regulations regarding neighborhood administration. Even though this temporary law deregulated neighborhoods, still neighborhood administrations were operating without any legal basis - a situation that continued for the next 17 years.

Neighborhood Administration in the Republic

The 8th Article of "Municipality Law" (No. 1580 of 1930) regulated formation of neighborhood administrations, therefore, after 17 years neighborhood administrations were legally recognized by the central government. Again in 1933, the law (No. 2295) abolished neighborhood headmanship and council of elders and transferred duties of these administrative units to municipalities and other local administrative units. But absence of neighborhood administrations led to ineffectiveness in local public services, therefore with the law of May 4, 1944 (No. 4541) and decision of April 16, 1945 of the Council of Ministers (No. 3/2413) headmanship of neighborhoods was yet again introduced.

Today's laws and regulations that underpin neighborhood administration are as follows:

- "Municipality Law" (No. 5393 of 2005) regulating formation of neighborhood, neighborhood administration, and headmanship,
- "The Law for Formation of Headmanship and Council of Elderly of Neighborhoods in Cities and Towns" of 1944 (No. 4541) regulating the scope of neighborhood administrations,
- "The Law of Funds and Social Security of Headman" of 1977 (No. 2108) regarding the status of headman, and
- "The Law for the Elections of Neighborhood Administrations, Headman and Elders' Council of Villages and Neighborhood" of 1984 (No. 2972) regulating election of neighborhood administrations.

Legal regulations do not specify any population criteria or limit for neighborhoods therefore there are small neighborhoods with 250-300 population and giant ones with 50-60 thousand population. Ineffective laws regulating functions, management, and representativeness within neighborhoods have transformed headmanship into a marginal concept (Yalçındağ 1998). The size of the problem enlarges with unfavorable conditions and inadequate status rights of headmen (Palabıyık & Atak 2000b).

With its historical and traditional characteristics a neighborhood is not only a residential area, but has also become an administrative agency sustaining local and cultural solidarity. They generate potential for better modern local administration. From this point of view they should be treated as indispensable parts of our administrative system.

Neighborhood Administrations and their Organs

The third article of Municipality Law (No. 5393 of 2005) defines neighborhood as an administrative unit within the municipal boundaries where people live together in neighbourly relations and have similar needs and priorities (Article 3).

The 9th article of the Municipal Law also states:

- A neighborhood is administered by a headman and council of elders,
- Formation, dissolution, joining, division, demarcation or change of boundaries of a neighborhood within municipal boundaries shall be subject to the approval of the Kaimakam -District Governor- upon decision of the Municipal Council and appropriate opinion of Provincial Governor,
- The headman shall be committed to determine common requirements of the inhabitants with the participation of volunteers, to improve the living standards of the neighborhood, and to carry on relations with the municipality and other public institutions and corporations, as well as to declare opinion on matters which concern the neighborhood, to cooperate with other institutions and to perform other duties as required by law.
- The municipality shall render the necessary support and assistance in kind to meet the requirements of the neighborhood and the neighborhood administration, shall consider common needs of the inhabitants in its decisions, and ensure performance of services in line with the requirements of the inhabitants of the neighborhood.

Laws concerning neighborhoods and neighborhood administrations do not clearly define or explain the administrative organs of neighborhoods. Explanations of "organs of neighborhood" are only as found in practice. Organs of neighborhood are mukhtar -headman-and council of elders. The council of elders being composed of one mukhtar and four actual members (4541, article 2). In addition to actual members four auxiliary members are also elected.

The headman is central government's local executive body and representative of the neighborhood in reciprocal ties and relations with central and local governments. The council of elders is an administrative body which assists the mukhtar in management of the neighborhood. As well as having some mandatory duties, the council of elders may be called upon to assist the mukhtar on demand.

The election of a headman and council of elders is regulated by "The Law for the Elections of Neighborhood Administrations, Headman and Elders' Council of Villages and Neighborhood" of 1984 (No. 2972). There is no formal legal procedure in the election of neighborhood administration meaning that any candidates may declare their candidacy at the election. Political parties may not

nominate any candidate. However, being a member of a political party does not hinder candidacy for headmanship. The candidate who holds the majority vote is elected. If two candidates obtain the same number of votes, the headman is drawn from these two candidates.

In any case of negligence of duty the kaimakam or governor may admonish a headman or the council of elders. If the negligence continues then headman and council of elders could be removed from their positions (4541, Article 18).

According to "The Law of Funds and Social Security of Headman" of 1977 (No. 2108) central government appropriates a certain amount of funding for headmen, therefore a headman is considered to be a civil servant. For this reason the Council of State and the High Court of Appeals ruled that if a headman commits a crime related to his/her duty, he/she will be adjudicated by "The Law on Trial of Civil Servants".

Duties of Headmen

When we examine the roles of headman and council of elders in the context of neighborhood administration, it is clear that the role of headman dominates. The council of elders works voluntarily and does not receive any payment or funds for its work. In general mukhtars and councils of elders fulfill their duties as stated in the law No. 4541 and in other statutes.

The basic duties of headmen and councils of elders are as follows:

- certain duties related to census and citizenship;
- military recruitment;
- general elections;
- judiciary system;
- land registry cadastre;
- social security;
- homeland security;
- civil defense;
- public health;
- agriculture and livestock breeding;
- law enforcement;
- tax system;
- official communications.

Neighborhood guards -bekçi- assist the headman and council of elders in fulfilling some of their duties (4541, Article 22). Actually the headman is the de facto representative of the neighborhood, he/she is not the legal representative. The headman may charge certain fees for some of the services provided (4541, Article 20). People, whose poverty is officially recognized by the kaimakam or governor, are not be charged for the headman's services.

Neighborhood administrations are very important and essential for the state system of Turkey, and also the civic structure of Turkish society. New regulations are necessary for neighborhood administrations to perform their duties effectively and accomplish their expected goals. Neighborhood administrations are de facto representatives of neighborhoods and their residents and they have the potential to carry out tasks assigned by local government as well as central government. It must be borne in mind that neighborhood administrations are administrative units that promote "democratic and civic participation", "diversity", "effective representation", and "civil control". Because of this status, functions and goals of neighborhood administrations must be re-examined and re-regulated according to contemporary democratic needs of our society (Palabıyık & Atak 2000a).

LOCAL ADMINISTRATION UNIONS

The Turkish local administration system is structured upon Special Province Administrations, Municipalities and Village administrations. The size of local governments varies greatly, however, the majority of them have not enough financial power to meet all their responsibilities. For this reason, beginning in the 1960s, central government encouraged and fostered local administration unions. Therefore, the number of such unions multiplied rapidly within the past 50 years.

These unions have become an important asset and financial resource for local administrators. Unions were established mainly to provide basic infrastructure services in rural areas. From the 1990s onwards the diversity of functions of the unions expanded and they started to work upon environmental, urban, and economic development issues. Currently, with increased globalization and the European Union's membership access process, local administrators have discovered that local unions are an ideal vehicle for obtaining international loans.

The increase in the kind and number of unions which stated in 90s and European Union's policies promoting collaboration among local governments urged changes in law which will encourage unions. Although there were several attempts to change the laws, the major necessary change was made in phase after 2002 general elections and "Local Administration Unions Law" was enacted in June 11, 2005. With change in the Constitution's 127th Article the law states that with the permission of the Council of Ministers, local governments can form

unions to perform specific public services. Unions cannot be formed with too general or vague purposes which may cover the overall mission of local governments. The mission of the union must clearly be stated in the founding documentation.

According to data from the Ministry of Interior numbers of local administration unions in Turkey are:

- Municipality Unions: 48;
- Unions for drinking water: 241 (1 is not functional);
- Unions for irrigation water: 346 (2 are not functional);
- Unions for providing services to villages: 880.

Thus there are a total of 1515. It seems clear from the above that the majority of unions are concerned with infrastructural services and services to rural areas (T.C. İçişleri Bakanlığı 2006a).

Legal and Organizational Structure of Local Administration Union

Being a corporate entity and a public institution are the basic legal characteristics of unions. The first legal act regarding the formation of local administration unions was passed as part of the 1961 Constitution (Article 116/4). It stated that "the formation of local administrative bodies into a union and the functions, powers, financial and security arrangements of these unions, and their reciprocal ties and relations with the central administration, shall be regulated by law and these administrative bodies shall be allocated financial resources in proportion to their functions". The Constitution of 1982 has some provisions regarding the formation of unions for the purpose of providing certain public services. It stated that "the formation of local administrative bodies into a union with the permission of the Council of Ministers for the purpose of performing specific public services; and the functions, powers, financial and security arrangements of these unions, and their reciprocal ties and relations with the central administration, shall be regulated by law and these administrative bodies shall be allocated financial resources in proportion to their functions" (Article 127/5).

According to the Local Administration Unions Law (No. 5355 of 2005) the administrative organs of unions are a Union Council, a Union Executive Committee and a Union Chairman (Article 7).

Union Council

A union council is the decision making body of unions. Its members are elected via secret ballot. Union members, local governments' own council members, or citizens who are eligible to be elected as members of those local government councils could be elected as members of the union council. If a province is a member of the union then the governor of that province; if a municipality is a member then the mayor, if a village is a member then the headmen are direct members of union council. Other members are elected (Article 8).

The mission of the union council is to approve investment plans and work schedules, decide upon type of the capital investment whether build-operate or build-operate-transfer, to select chairmanship, members of union executive committee and specialized committees (Article 9).

Union Executive Committee

The union executive committee is composed of the chairman of the union and at most seven members of the union council. If the union is nationwide this number is 14. Members of the executive committee are selected at the first session of every term to be on duty for 1 year. The union chairman is also the chair of the executive committee. Duties of the executive committee include, but are not limited to, giving opinions on investment plans and work schedules, deciding upon expropriation cases, etc.

Union Chairman

He/she is the legal representative of a union's corporate entity. As the executive power of the union, the duties of a chairman include, but are not limited to:

- managing the union;
- preserving the interests and rights of the union;
- preparation, implementation, monitoring and evaluation of investment plans and work schedules;
- submission of yearly reports of union's operations;
- audit union;
- recruit union employees;

- manage executive committee;
- manage properties and chattels of the union etc.

Types of Local Administrative Unions

The Ministry of the Interior categorizes local administrative unions as (İçişleri Bakanlığı 2006b; Zengin 1999; Gönül 1977):

- Unions for providing services to villages (Kara & Palabıyık 2007),
- Unions for irrigation water/agriculture,
- Unions for drinking water,
- Municipality unions
- Unions for development, and
- Unions for the environment/tourism/infrastructure.

There can be only one nationwide union established for the purposes of delivering opinions on legal issues, assisting development, training staff, and preserving the interests of local governments. All special provincial administrations and municipalities are natural members of their own national unions. For instance, established as an association in 1945, 'Turkish Municipality Union' changed its name to 'Municipality Union of Turkey' in 2003 and continues its operations in its headquarters in Ankara.

PUBLIC PARTICIPATION IN LOCAL ADMINISTRATIONS

Local participatory perspectives and related regulations of the Municipal Law (No. 5393 of 2005) may be stated as follows (Palabıyık & Yavas 2006).

Those regulations are mainly related to consultative participation in some institutional operations.

- Article 8 regulates general aspects of municipal mergers and community joining to established municipal administrations. The system of a written petition of more than half of the specified community electors is regulated in the same way as in the formal Municipal Act (1580/1930). To apply votes of communities that want to join a municipality is, also, in line with the Council of Europe's Charter of Local Self-Government's Article 5th.
- Article 9, firstly organizes a municipality's relationship with neighborhoods which are called mahalle in Turkish. Instead of having an

elected headman-mukhtar and elders' council, under the new regulation, the municipal administration has to pay particular attention to the wishes of neighborhood residents. The municipality must also support neighborhood administration and meet the funding needs of neighborhoods within the bounds of its budget. Municipalities may also conduct public polls to get information about residents' expectations of municipal services (Article 15).

- According to Article 13, local residents have a right to participate in municipal decisions and municipal services. They also have a right to be informed about municipal functions. Municipal administration takes necessary decisions by the broad participation of universities, specialists and nongovernmental organizations, NGOs, in conducting activities that improve residents' social and cultural relationships.
- A municipal council is the decision making organ of a municipality. It is composed of members elected by residents. Municipal council members also operate via specialized committees. Neighborhood administrations elected headmen, other provincial public organizations' chiefs, provincial chambers of trade and industry, universities, labor unions, and the representatives of NGOs related to the local agenda may participate and express their opinions without right to vote in such specialized committees' meetings. This participatory approach is, also, an obligation for the strategic plan (Article 41) and disaster emergency plans development process (Article 53).
- Article 76 of the Municipal Law regulates a City Council as an important institution founded on participatory methods. The City Council is a new body in municipal administration to perform local participatory process on behalf of local residents. Its main duties include: developing city vision, building up residents' consciousness, protection of justice and equity, sustainable local development, environmental awareness, social assistance and cooperation, openness, responsibility and accountability, participation and local self government principles. A City Council is mainly composed of the local representatives of private sector institutions such as the chambers of trade and industry, labor unions, public notaries, universities, related NGOs, political parties, and representatives from the public sector such as other local public organizations, neighborhood administrations and other interested residents. Municipal administration supports the city council's efforts and operational effectiveness. Decisions of the city council are put on the municipal council agenda. The "Directive of the City Council" was published by the Ministry of the Interior in 2006 (The Directive of City Council).
- Finally, Article 77 is about voluntary participation in some municipal services by relevant residents. Municipal administration has special

programs to make possible voluntary participation of residents in health, education, sports, environment, social works, libraries, parks and recreational works, traffic and cultural services and especially services for senior citizens, women and children, handicapped people, and the poor. The "Directive of Voluntary Participation in Special Provincial Administration and Municipal Services" was also promulgated by the Ministry of the Interior in 2005 (The Directive of Voluntary Participation in Special Provincial Administration and Municipal Services).

Local participatory perspectives and related regulations of the Special Provincial Administration Law (No. 5302 of 2005) may be stated as follows:

- District governors and other public administrators within province, administrators of professional organizations, labor unions, universities, nonprofit organizations, and neighborhood headmen may attend the provincial council sessions regarding their organizations' functional area without having the right to vote (Article 16).
- The strategic plan of the province prepared by the governorship with support from the universities, non-profit organizations and labor unions (Article 31).
- For the purpose of improving solidarity, civic engagement, effectiveness and efficiency of services special provincial administrations promotes voluntarism in services related to education, health, sport, environment, traffic, culture. Ministry of Interior regulates standards and procedures of voluntary services (Article 65) (See the Directive of Voluntary Participation to Special Provincial Administration and Municipal Services).
- A special provincial administration is responsible for preparing emergency plans and acquiring necessary equipment for possible emergency situations such as fire, earthquake and other natural and manmade disasters that could occur in the province. In the preparation process of emergency plans a special provincial administration asks for opinions of other public agencies, ministries, universities and related professional associations and local governments and it sustains coordination with other emergency plans in the province (Article 69).

Petition Right against Local Administration Decisions

The Constitution of 1982 states that "recourse to judicial review shall be available against all actions and acts of administration" (Article 125). In addition, in 2004 a new law was passed entitled "Right to Attain Information". The purpose of this law is to regulate citizens' rights of access to information from public authorities in order to sustain transparency and democracy within the

state system. With this law every citizen may request any kind of information, except confidential information, from public organizations. The law regulates the bureaucratic procedure of Turkish citizens' use of their petition rights.

AUDIT OF LOCAL ADMINISTRATIONS

In the unitary state structure of Turkey, 'audit of local administrations' is to examine congruity between act and actions of public organizations and related laws and regulations. The principle of congruence to law states that every administrative act, action and decision can not be contrary to the law and must be structured based on the laws.

Tutelation Audit

Administrative audit in Turkey is performed in two ways: it is hierarchical when general administration is auditing its local/decentralized organization, it is made through tutelation when central administration audits local government. With the aim of increasing democratic participation and effectiveness of administration, central government delegates some of its authority to local administrations' executive and legislative units within a certain degree of limitation, stated in law. In the audit process, central government may not treat local government as its inferior or subordinate unit and force it to make certain decisions or changes. On the other hand general administrative policy is determined by central government. For the purposes of preventing disharmony and inconsistency in services, the central administration audits local governments through tutelation.

Local governments are audited in accordance with "Public Finance Management and Control Law" (No. 5018 of 2003). The law regulates the audit of units of central and local governments. The law separates 'audit' into two: internal and external audit.

Internal Audit

Internal audit is defined as internal control. Based on this definition, as part of public finance administration, internal audit controls the financial position of the public agency before a transaction is made. Standards and procedures of the control mechanism of 'before transaction' are determined by the Ministry of Finance. The Ministry of Finance regulates standards and methods for financial administration and 'before transaction' audit. Methods and standards of internal audit are developed by an Internal Audit Coordination Board.

External Audit

An external audit is performed by the Turkish Court of Accounts after the transaction has been made. The purpose of the external audit is to investigate conformity of financial decisions and transactions to the stated standards, laws and general administrative plans. Reports of external audits are submitted to the Turkish Grand National Assembly.

Special Provincial Administration

Both internal audit and external audit are performed in special provincial administrations. Auditing in Special Provincial Administrations examines conformity of transactions and actions within special provincial administrations to the laws and also investigates financial performance. Internal and External audits are performed based on the criterion stated in "Public Finance Management and Control Law" numbered 5018 of 2003. In addition to the financial audit, an administrative audit which examines the conformity of administrative actions of special provincial administrations to the general strategies and plans, is performed by employees assigned by the Ministry of the Interior or the Governor.

Activity Report

The office of governor prepares activity reports. These activity reports state the degree of accomplishment within the strategic plan and performance goals and if there is any degree of deviation in those plans and goals. The report is submitted to the Ministry of Interior and also announced to the public. If the explanations in the report are found to be unsatisfactory by $\frac{3}{4}$ of the members of the Provincial Council, the Ministry of Interior is informed of the dissatisfaction. Provincial Councils have no authority to unseat the governor, however, negative opinion is taken into consideration by the Ministry of the Interior which holds the authority to assign or unseat governors.

Audits in Consequence of Problems in Services and Priority of the Locality in Public Service

If problems with the low quality of public service causes civic unrest the Ministry of the Interior demands an authorized judge to decide upon the situation. If the judge decides the quality of public service is low due to the Special Provincial Administration's incompetency then:

- The Ministry demands the Special Provincial Administration improve the quality of service within a given time limit.
- If the service does not improve, then the task of improvement is given to the governor who will initially utilizes the Special Provincial Administration's own resources to try and improve the service. If that fails the governor may use resources from other public agencies to remedy the situation and in that case the cost of using other public agencies resources will be compensated by the Bank of Provinces.

The Audit of Audit Commission

One of the new practices in public service is the establishment of a sub-commission within the structure of special provincial administration's specialized commission which is responsible for financial audit. The commission may employ professionals from private sector and/or professionals from public sector with permission from the governor.

Audit of Special Provincial Administration by the Provincial Council

The provincial council audits the special provincial administration by using its questioning power. It may investigate meeting records and activity reports.

Audit in Municipalities

Audit Commission

The establishment of an audit commission is an innovation in the municipality law. Audit commissions are established in municipalities whose population is exceeding 10,000. The commission audits previous year's financial statements and reports. The commission is composed of at least three, at most five, members. Commission members are elected from members of the municipal council by the municipal council.

Audit Methods of Municipal Council

The municipal council audits the municipality government by using its questioning power. It may investigate meeting records and activity reports.

If the explanations in the report are found to be unsatisfactory by $\frac{1}{4}$ of the members of the municipal council, the governor is informed of the dissatisfaction. The Governor sends the case to the Council of State with his/her reasoned opinion. If the Council of State decides incompetency of the mayor is an issue, then the mayor is unseated. As one can understand from this process a municipal council has no direct authority to unseat the mayor, however, it does have the authority to commence the process. Furthermore the council may propose an interpellation of the mayor. For interpellation at least one third of the council has to sign the proposal.

External financial audit of affiliated organizations whose budget is not part of a municipality budget, such as ISKİ (Istanbul Water and Sewerage Administration), is performed by the Turkish Court of Accounts. Audit of local administration alliances is made by the Ministry of the Interior.

Audit of Village Administrations

Corrupt headmen could be unseated by the administrative body to which the village is affiliated. Governors or kaimakams may veto administrative decisions which are found to be inexpedient. However, they cannot make decisions instead of headmen. The Governor or kaimakam has no authority to impose any decision concerning administrative issues on any village.

CHAPTER 3

FUNCTIONAL LOCAL ADMINISTRATIONS AND PUBLIC PROFESSIONAL ORGANIZATIONS

Besides central and local administrations the Turkish public administration system also includes autonomous functional local administrations. These administrations are autonomous agencies which carry out certain public services outside the central administration. In fact, they are corporate bodies established to deliver certain public services requiring specialised knowledge and expertise.

Functional local administrations can also be called public institutions. It is important to note the difference between "public administration" and "public institution". Whereas a public administration is the corporate body established to deliver services to populations within certain boundaries, public institutions or public agencies are corporate bodies established to deliver specific services to the whole country. For example, while special provincial administrations, municipalities, and villages perform as public administrations within their exact boundaries, the universities are public institutions providing higher education throughout the country.

Among public institutions performing in various administrative, economic, social, scientific, technical and cultural spheres are: Council of Higher Education, Turkish Radio and TV Administration (TRT), Atatürk Higher Institution of Culture, Language and History, Social Security Agency of Turkish Republic, General Directorate of Foundations, State Water Affairs General Directorate (DSİ), Universities, Scientific and Technological Research Council of Turkey (TUBITAK), Directorate General of State Theaters, State Economic Enterprises, General Directorate of Post and Telegraph Organization (PTT).

According to the Constitution "public corporate bodies shall be established only by law or by the authority expressly granted by law" (Article 123). Accordingly, functional administrations or public institutions are established by administrative decisions based on the law or by authority expressly granted by law.

The common characteristics of public institutions may be summarized as follows (Parlak & Sobaci 2005):

- They are not subject to hierarchical supervision of central administration
- They are public corporate entities. They are established by administrative decisions based on the law or by authority expressly granted by law. They have their own assets, branches, personnel, and budget
- They enjoy a certain degree of autonomy; they make and implement decisions
- They perform within the public administration system for the purpose of the public good; they are subject to a certain degree of administrative tutelage
- They are restricted to their areas of specialization

Finally there are public professional organizations as public corporate bodies within Turkish public administration system. They are also constitutional organizations.

According to the 135th article of the Constitution:

Public professional organizations and their higher organizations are public corporate bodies established by law, with the objectives of meeting the common needs of the members of a given profession, to facilitate their professional activities, to ensure the development of the profession in keeping with common interests, to safeguard professional discipline and ethics in order to ensure integrity and trust in relations among its members and with the public; their organs shall be elected by secret ballot by their members in accordance with the procedure set forth in the law, and under judicial supervision.

Persons regularly employed in public institutions, or in state economic enterprises shall not be required to become members of public professional organizations.

These professional organizations shall not engage in activities outside the aims for which they are established.

Political parties shall not nominate candidates in elections for the organs of these professional organizations or their higher bodies.

The rules concerning the administrative and financial supervision of these professional organizations by the state shall be prescribed by law.

The responsible organs of professional organizations which engage in activities beyond their objectives shall be dissolved by court decision at the request of the authority designated by law or the public prosecutor, and new organs shall be elected in their place.

However, in cases where delay endangers national security, public order and in cases where it is necessary to prevent the perpetration or the continuation of a crime or to effect an arrest, an authority designated by law may be vested with power to suspend professional organizations from activity. The decision of the said authority shall be submitted for approval to the responsible judge within twenty-four hours. Unless the judge declares a decision within forty-eight hours, this administrative decision is annulled automatically.

Those public professional organizations are such as Bar Associations, Chamber of Medical Doctors, Chamber of Veterinarians, Chamber of Dentists, Chamber of Engineers and Architects, Chambers of Commerce, Chambers of Industry, Chambers of Commerce and Industry, Association of Turkish Chambers and Exchange Markets, Association of Turkish Tradesmen and Craftsmen, etc.

The common characteristics of public professional organizations are:

- Public professional organizations are public corporate entities
- They perform in accordance with the needs of certain occupational group members
- They are established by the law, restricted to the objectives, and enjoy autonomy
- Their branches comprise their own members
- They perform based on mandatory membership. Certain duties cannot be performed without respective membership.
- They have autonomous budgets

This part of the book explained and analyzed the local government administration in Turkey. This section firstly focused on the general characteristics of the local administrations; then special provincial administrations, municipalities, metropolitan municipalities and villages were explained with reference to the relevant statutes; finally, neighborhood administrations, unions of local administrations, participation in local administrations, inspection, functional local administrations and public professional organizations were also analyzed briefly. The following part analyses Turkish administrative reform in national and global contexts.

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PART V

TURKISH ADMINISTRATIVE REFORMS

Since the establishment of the Republic of Turkey in 1923, reform of public administration has been permanently on the agenda. To overcome the economic, social and political problems faced in the public administration system the Centralized Government Research Project (1962), the Administrative Reform Consultancy Council Report (1971), the Study of the Organization of the Legislation and Decrease of Paperwork (1980), and the Public Administration Research Project (1989) were conducted. However, none of these initiatives achieved the desired result. The state has started consuming more financial resources every day, due to its continued expansion in a seemingly vain attempt to deal with on-going social and economic change. Due to high government expenses, and unstable economic policies, inflation has risen and budget deficits have become chronic. Bureaucracy has become an inefficient and coarse mechanism. Therefore the need for a comprehensive reform has become inevitable in the beginning of the 21st century.

CHAPTER 1

GLOBAL ADMINISTRATIVE REFORM MOVEMENTS

Since the end of the 1970s, the entire Western world - the United States, Great Britain and other Western European countries - and the other side of the globe - Australia and New Zealand - appears to have moved into an era of severe administrative reforms. The cluster of reform ideas dominant in international discourse during the 1980s provided a global diagnosis and a standard medicine for the ills of the public sector around the globe. It was suggested that the medicine would have beneficial effects whether used in established democracies, in the former Warsaw Pact countries or in the third world. Trust of market and 'managerialism' were the key aspects of the doctrine (Olsen & Peters 1996). The old public administration emphasizing due process and rules was declared old-fashioned and dysfunctional. Reformers advocated replacing old public administration with New Public Management (NPM) focusing on goals and results and imposing lessons from private sector techniques on public sector reform. These ideas are primarily developed in the Anglo-American context, and diffused by international organizations such as OECD, IMF, and the World Bank (Kapucu 2003; 2006; Peters 1996). Although the influence of NPM varies across Western democratic regimes, trend reports on developments of administrative reforms of the OECD (1990, 1993, and 1995) confirm that most developments point in the same direction. That is, the introduction of ideas, models, and techniques of public management. These include the adoption of business management techniques, greater service and client orientation, the introduction of market mechanisms and competition in public administration, as well as the reduction in the size of government with regard to its legislatures, executives and central administrative agencies.

The adoption by many Western administrations all over the world of the same kind of NPM is highly remarkable and in fact quite surprising. Whilst the principles of business management might, to a large extent, be universally applicable, as business firms operate in the same worldwide market, universality does not definitely hold true for public administrations. Various states and administrations throughout the world fundamentally differ in economic, socio-

political, cultural, constitutional, and institutional senses as do the ways in which these public administrations are managed. Even within the relatively small subset of Western countries, the administrative differences are enormous. The differences in states, governments, and administrations between the United States and Europe and within Europe itself, make the common adoption of the same kind of public sector management indeed quite surprising.

The universal administrative reform movements in public management of recent years have been driven in large part by government responses to the fiscal crises incurred by changes in the international economic system, and by the demands for government services and regulations in national political systems. These financial crises have led to budgetary restraint and downsizing of public employees, as well as to the privatization of government operations and the deregulation of private economic initiatives (Peters 1996; Aucion 1990). The main idea for reforming government was that if government was guided by private sector principles rather than (Weberian) rigid hierarchical bureaucracy, it would work more efficiently and more effectively. Surveys conducted by the OECD (1993, 1995) attempted to categorize the most important initiatives in the various OECD countries. These surveys clearly demonstrate the extent and depth of recent administrative reform initiatives. The OECD surveys identified a number of trends that seem to be common to all countries, such as:

- increased result and cost consciousness;
- service provision and customer orientation;
- performance budgeting;
- human resources management;
- performance control
- evaluation of results.

The Necessity for Administrative Reforms

There are several explanations for the fact that the 1980s and 1990s have been the 'golden age' of administrative reforms throughout the western world. The most obvious is the financial-economic need to reform. The economic recessions after the oil crisis of the 1970s resulted in enormous public budget deficits and the Western welfare state proved unaffordable. These financial crises have led to budgetary restraint and downsizing of public employees, as well as attempts to privatize government operations and to deregulate private economic initiatives (Kapucu 2006; Peters 1996; Aucoin 1990; Rockman 1997). The need to cut back in the public sector, especially the enormous size of the inevitable retrenchments, provides the major explanation for the necessity of drastic reforms in the structure and functioning of Western governments and administrators.

There have been many changes in the structure of governments and in the relations the states have with society since the 1970s and early 1990s. The 'New Right' Reagan revolution and Thatcherism in the United Kingdom are well known examples. Also there have been serious administrative reforms in other centralized governments like France and Sweden (Peters 1994). What is especially remarkable about the contemporary administrative reform movement is the similarity of the changes being implemented and the similarity of the discourse about change in the public sector occurring in many of those countries. The expectations from administrative reforms are the same for all the governments: more efficient, more effective, small, transparent, and less expensive government (Peters 1997; World Bank 1997). According to Kickert, "Public sector reform is in fashion and no self-respecting government can afford to ignore it. How a fashion is established is one of the most intriguing questions of public policy. Part of the answer lies in policy diffusion brought about by the activities of international officials, by meetings of public administrators, and so-called policy entrepreneurs" (Kickert 1997).

Major Themes of Administrative Reform of the 1980s and 1990s

In all the leading western democracies, the reforms of the 1980s and early 1990s drew upon previous dissatisfaction with government and upon the work of previous commissions or groups that studied the problem. Britain's Fulton Report in 1968 argued that members of the British higher service lacked management skills. Australia's Coomb's Commission Report argued that financial and management systems needed greater simplicity and more integration. Canada's Glassco Commission argued for decentralization and greater managerial discretion. The Grace Commission in the United States simply argued that government should be operated like a business (Ingraham 1997).

As Kaboolian points out, "[c]ommon to reform movement in all countries is the use of the economic market as a model for political and administrative relationships... While the reform movements vary in depth, scope, and success by country, they are remarkably similar in the goals they pursue and technologies they utilize" (Kaboolian 1998, p. 190). The core reform ideas and principles included in most national efforts of the past three decades are frequently encapsulated within the term 'managerialism'. Managerialism relies on an essentially private-sector set of techniques and practices, largely raised by public choice and market theories (Peters 1997; Aucion 1990). Greater efficiency is a primary objective of managerialist reforms. In virtually all cases, the senior civil service was a target of reform with the use of performance contracts, often in combination with greater authority and discretion in budgetary and personnel matters, as a common feature (Kapucu 2006; Kettl 1997).

In all these cases, the message was the same. Administrative reform is an important policy tool in improved governmental performance. It is a subset of all policy performance, not a separable set of technical efforts. As a result, the reforms that eventually ensued emphasized not only significant downsizing, but also significantly improved management capabilities. NPM is accepted as the 'gold standard for administrative reform' for almost all countries. The main idea for reforming government was that if government was guided by private sector principles rather than (Weberian) rigid hierarchical bureaucracy, it would work more efficiently and more effectively. Surveys conducted by the OECD (1990, 1993) attempted to categorize the most important initiatives in the various OECD countries. These surveys clearly demonstrate the extent and depth of recent administrative reform initiatives. The OECD surveys identify a number of trends that seem to be common to all countries, such as: Increased result and cost consciousness, service provision and customer orientation, performance budgeting, human resources management, and performance control and evaluation of results.

Transferability of Administrative Reforms

The shift from bureaucratic administration to business-like professional management was promoted as a strategy fitting for all levels, and branches of the public sector, local as well as central governments, and every kind of administrative culture in any country whatsoever. NPM has been presented as a remedy to cure management ills in various organizational contexts, as well as in various areas of policymaking, from education to health care (Light 1997; Majone 1991).

According to its general applicability in various settings, the style of NPM obviously differs depending on the political and historical conditions of the administrative cultures under which it has to operate. Therefore, it should be obvious that NPM is not a monolithic administrative reform doctrine that operates similarly in all countries, governmental levels, and agencies (OECD 1993). At the very least, differences in the state and administration need to be considered before an idea of public management is transferred to another country. According to specific (political) goals or national administrative cultures, NPM approaches differ in two main respects. First, there are substantial differences in the role the states take on in the reform process, and second, there are essential differences in the orientation of reforms: the targeted subject matters with which to improve efficiency and goal attainment in public service.

Interestingly, the implementation of the NPM is not only restricted to developed countries but has also extended to developing and transitional societies in Asia, Latin America, and Africa. All these developments in the study and practice of public administration lead us to think about the importance of

transferability of administrative reforms. Some academics and practitioners believe that there is a new global paradigm in public management and that the rise of NPM is inevitable (Osborne & Gaebler 1992).

Aucoin observes that "an internationalization of public management is taking place in every government of developed countries. A good deal of comparative learning is thus being attempted. This internationalization of public management parallels the internationalization of public and private sector economies" (1990, p. 134). Nevertheless, another school of thought treats the universal application of NPM and the administrative reform movement with skepticism and reservation. Hood points out that "the movement away from progressive public administration in the 1980s was in fact far from universal," and that "it does not necessarily follow that administrative reforms were undertaken for the same reasons or will automatically have the same results in different countries" (1995, p. 109). Even though Hood denies the universality of NPM, he does not reject the applicability of NPM to a number of countries. According to Hood, "like many other philosophies, NPM was presented as a framework of general applicability of 'a public management for all seasons' the claim to universality was based on two main areas: Portability and diffusion of NPM, and political neutrality" (Hood 1991, p. 8).

Strategies for Transferring Administrative Reform

There is no single solution or approach for reforming government. There are too many lessons, successful experiences of other countries (Raadschelders 2000). Every single country "needs to identify its priorities according to [its] circumstances, drawing upon the mix of other experiences" from other countries and "look at achievements and implications." Administrative reform programs should have "clear vision, objectives, and simple priorities" (Kaul 1996, p. 39). Wolman gives us some valuable suggestions for successful transference of administrative reform.

To be successful, a policy transfer must pass several hurdles. It must be capable of adoption through the political system. Once adopted, it must be effective (that is, it must successfully address the problem it is expected to solve in the recipient country), and it must be capable of survival (that is of sustained support to enable it to continue to exist and to appear and to operate effectively). Different aspects of a policy setting might be relevant to each of these hurdles. The question is whether the various aspects of a policy's setting in the recipient country are suitable as a host for policies that have operated in the different setting of the originating country. Important aspects of a policy's environment include its institutional and structural setting, the national political culture, public opinion, relationship to the other policies, and the countries' level of economic development, wealth, and economic structure (Wolman 1992).

Governments have to demonstrate a clear vision of the future, based on values that are widely shared in society, and leadership quality. This requires political commitment and continuity; team building for the management of administrative reform; and the setting of priorities and tangible, realistic objectives. Administrative reform, if it is to be effectively implemented, requires a holistic approach, integrating the multiple human resources, financial, technical and structural factors involved within a dynamic environment (OECD 1995). Kaul emphasizes the "importance of securing the highest level of political authority to an administrative reform program. Equally important is the institutionalization within the government machine of the skills necessary for the continuation and development of good management in government" (1996, p. 136). High-level national leaders must shepherd the reform programs, and politicians throughout the system need to agree to support reforms that would curtail their ability to distribute patronage. Political support is also needed from middle and lower level bureaucrats. Moreover, there should be a broad political and social acceptance of change and reform; for this, it is essential that policymakers communicate and discuss the costs and benefits of policy options with all involved, including dialogue with the private sector, non-governmental organizations and other parts of the civil society.

CHAPTER 2

ADMINISTRATIVE REFORMS IN TURKEY

Public administration organizations have failed to meet the increased needs of the modern age, and the increased expectations of the public for efficient and effective public services. Along with the demonstrable fact of its own internal insufficiency, and the dynamics of the Turkish public administration system, some developments in international fields with global dimensions have accelerated the need for reform (Kapucu 2006, 2002). Examples of these developments include: the global expansion and liberation policies within economic and commercial fields and the capital market; proposals for structural change from international global actors such as International Monetary Fund (IMF), the World Bank and the World Trade Organization; the expansion of human rights and political participation in democratic societies throughout the world; European Union membership and the continuing integration process with the EU, the scheduling of the responsibilities of restructure in the social, economic, political and administrative fields in the framework of the EU Acquis Communautaire. This chapter will discuss the performance of recent public administration reforms in Turkey. Although there is a positive point of view and general understanding within society of the aims, objectives, and regulations of the reform, a degree of resistance was encountered from some political parties, unions, academics and professional enterprises.

Major Goals of the Administrative reform Movement in Turkey

Since the establishment of the Republic in 1923, every 10-15 years reform or reorganization of public administration has been put on the agenda. The state has started consuming more financial resources every day since it is continuously expanding its interests and is forced to address changes in social and economic life (Kapucu and Kösecik 2005; Kösecik, Kapucu, and Sezer 2003; Dodd 1965). Due to high public expenses and the follow-up of unstable economical policies inflation has risen and budget gaps have become chronic. Bureaucracy has

become an inefficient and coarse mechanism due to its increasing dependence on comprehensive rules, organizational structure and personnel employment. Therefore the need for reform became inevitable at the beginning of the 21st century.

Alongside its own internal insufficiency, and dynamics of the Turkish public administration system, some international developments have accelerated the need for change. These developments are as follows:

- The global expansion and liberation policies of the economic and commercial fields and the capital market;
- Global impact since the 1970's of: economic stagnation, energy bottleneck and the increase of loans and budget gaps of under developed or developing countries due to regional crisis, and a decrease in the national income per person;
- International global actors such as: IMF, World Bank and World Trade Organization suggest/propose many adaptation programs to ensure stability and structure as a basis for seeking financial support to escape from the economic crisis within the country has come face to face with;
- The contribution of the global improvement in the communication and information processing technologies in order to exceed the national limits of information, capital, idea transferring, the expansion of human rights, political participation and the gains recorded in the context of democracy;
- The stage reached in negotiations prior to full membership of the European Union.

A series of initiatives have attempted to address reform of the public administration system including:

- Centralized Government Research Project 1962
- Administrative Reform Consultancy Council Report 1971
- A study entitled 'The organization of legislation and decrease of paperwork' 1980
- Public Administration Research Project 1989.

None of the above have succeeded.

There are many reasons why any positive result could not be reached with reforms carried out until the end of the 1990's or any of the restructure attempts. In particular it should be noted that all of the above-mentioned reforms were prepared/carried out on principles of a closed, Weberian, hierarchic management understanding of the industry age, whereas the current reality is a public administration system firmly rooted in the technology of the information

age. Another reason is the lack of any serious theoretical foundation underpinning an approach to reform. There has also been a lack of holistic approaches, instead problems have been dealt with in a piecemeal fashion. Another important reason is that the public administration system is considered apart from the social, economic, political, and cultural systems surrounding it and the events occurring in the external world.

The "Restructure of the Public Administration" action started in the middle of 2003 and is still in its implementation stage claiming to be different from all other previous reform attempts. This initiative firstly aims to meet the needs of change arising from the information age and globalization. In this respect the public administration system is to be based upon fundamental values that depend on good governance such as management in place, respect for human rights, entailment, accountability, participation, transparency and the effective use of resources. Along with this, in the organization and operation of the public administration, strategic management, performance management and effective audit are taken into consideration. It also adopts the human centralized and flat organization structure (Dinçer & Yılmaz 2004; Kapucu 2003).

Although the Law on Basic Principles and Restructuring of Public Administration, which is the legal basis of this latest reform, was accepted by the National Assembly, it was vetoed by the President so it was not put into practice. The reform thus faced a huge obstacle in its initial establishment, indeed it could be said that the reform has been interrupted in the implementation stage. Even if the main law text forming the reform's legal framework has not yet been accepted; the secondary legal regulations relating to the basic goals and targets of the reform and entailed by the Law on Basic Principles and Restructuring of Public Administration will be achieved step by step. Regulations such as: the Public Finance Management and Control Law, The Freedom of Information Law, The Municipality Law, The Metropolitan Municipality Law, The Special Provincial Administration Law are included in the complementary regulations of the restructure.

The reforms conducted prior to the end of the 20th century were basically repetitions of each other and provided only superficial solutions to the problems. They were vastly removed from a sufficient appreciation of the nature and necessity for change within public administration. In Turkey, the crises in economic and political fields and the fundamental contradictions between politics and bureaucracy, derive not only from the inefficiencies and problems in those fields, but also from an insufficient understanding of the need for change in public administration, and from the inability to adapt to change. Fundamental problems such as the insufficiency in administrative operations which causes the need for change in public administration, extensive expansion and centralization, crisis and debt management in the public finance and administration, the crisis of the public personnel regime, the counteracting of the public audit system, the increase of wastefulness and corruption should be diagnosed, and it should be

clarified to what extent they influence the scope and size of the change (Dincer & Yilmaz 2004).

Recent Turkish Public Administration Reform Laws and Regulations: The Law about Basic Principles and Restructuring of Public Administration (Number 5227 and Approved by the TGNA on July 15, 2004)

The following are some of the major goals and characteristics of recent attempts at Turkish Public Administration reforms.

- For the first time, the Law on Basic Principles and Restructuring of Public Administration has clearly put together basic principles that all public institutions must adopt in their operations. The law attempted to apply the basic principles of new public management such as participation, transparency, accountability, effectiveness, simplicity in bureaucratic transactions, focusing on service outputs rather than inputs, respect for human rights, and optimizing the use of information technologies. The law restructured organizational frameworks of public institutions in accordance with horizontal organization and delegation of authority principles and clarified the responsibilities and duties of ministries and other public institutions. The law was passed by TGNA on July 15, 2004, however, on August 3, 2004 President Sezer vetoed the law and sent it back to TGNA reasoning that the law was not concordant with "general principles of law, the constitution, benefit (common interest) of the public." Thereafter the law never reappeared on the agenda of TGNA meetings. It is probable that the reform package will come to TGNA in the near future.
- Recent efforts to reform public administration could be named as a turning point in the history of Turkey, that is the result of a willingness to fall in line with the developed world which has been reforming its own public administration systems since the 1980s.
- *Effective and Efficient Public Sector:* The need to review and re-examine structures of government and to establish efficiency and market testing programs were common components of contemporary administrative reforms. Various measures have been taken to reduce the size and improve the allocation of the budget, and to reduce the number and improve the assignment of officials. These measures will ensure that public officials can perform their duties efficiently and rationally while meeting the expanding and changing needs of the people for the government into the 21st century (Kaul 1996; Rockman 1997; Peters 1996). Without effective public administration, it would not be easy for a

democratic government to deliver services so as to give meaning to greater freedom of self-expression (Kaul & Collins 1995).

- *Productive Public Sector:* The use of information technology was a central point for all the administrative reform movements. The development and use of internal and external advising skills are other important components in improving management systems and skills. “The introduction of quality management and customer-oriented programs was also common component in reform” (Kaul 1996, p. 143). In order to be seen as trustworthy, public administration must offer services to the people that correspond to their needs, and that are of a high quality. For this reason, many countries make efforts not only to directly improve the quality of existing public services but also to examine and refine what services are available to the public.
- *Small Government:* Failures of the capitalist system before World War II influenced governments to manage their economies and run major industries. For a time, “collectivization” and “nationalization” met public objectives better than private companies. But in time, public sector performance fell below expectations, productivity declined, and public enterprises had no improvement on private enterprise. By the 1970s, it was becoming clear that the expansionary era in government was soon to end (Caiden 1991; Rockman 1997; Chapman & Greenway 1990).
- *Debureaucratization:* Privatization and coproduction are part of a larger effort to reduce government intervention and bureaucratic controls. Debureaucratization should seek public trust, confidence in government, and reduce the public cynicism against the government, which has dropped sharply over the past years. Objective of debureaucratization is “eliminating bureaucratic dysfunctions not the bureaucracy itself” (Caiden 1991).
- *Transparent Government:* Many countries have taken steps to change their procedures in order to clarify for the public how administrative decisions are made. Such countries feel it is essential not only to explain to the public those matters which the administration believes are important, but to follow the principle of accountability and make the operations of public administration open to people (World Bank 1997).
- Restructuring is not limited to improvement of the administrative system; it also reforms the political structure. Restructuring encompasses several fundamental changes in administrative structure, service perceptions, personnel administration, auditing, work mentality, interaction between political system and the processes of making-implementing-auditing decisions. In fact, the innovations in the name of reform proposed by specialists and/or institutions have not been seen to be applicable and collectively effective solutions. The problem lies with

the profound disbelief and lack of motivation within the public sector against change. This renders reforms inapplicable, and impractical (Palabıyık 2004).

- Resulting from the power games coalition parties' played for decades in Turkey, an "administrative revolution" has become a survival necessity which has not been accomplished. The following are some of the reasons for the necessity of reevaluating the public administration system in Turkey:
 - lack of integration in the reporting system;
 - studies and research lacked analytical techniques and relevant strategies;
 - lack of competent personnel who are strong minded and dedicated to transformation, change, and long term solutions that people need;
 - lack of advocacy for restructuring in the political arena;
 - inability to change legal and constitutional structure that would eliminate legal barriers for research and studies; and
 - inability to develop basic change mentality for reform
- Not only the government in power but also all political parties, should put administrative reform and change on their agenda. The fundamental problem actually is the incompetence of the political system. Change attempts within the administrative system have been blocked by political interest groups. The Law on Basic Principles and Restructuring of Public Administration was an attempt at a solution to this basic problem. However, it still misses important points and, therefore, could not constitute a complete solution. It is remarkable that the law is a major preliminary attempt to transform the cumbersome public administration system. Issuing a law could just be a beginning; the harder issue is to enforce the law. Turkey has sufficient experience of many unimplemented reformist laws. One should know that restructuring is a process in which political decisions must be implemented with due determination. Political leaders should not approach the case with an attitude such as "I passed the law, so the problem is resolved". Desired changes could only be realized on the basis of common understanding of both the problem and the solutions. Public debates on this issue should be constructive, not promote polarization (Palabıyık 2004).

- Participatory democracy promotes decentralization whereby public service is mostly provided by local actors. Decentralization is the fundamental remedy to clumsiness of the central administration and waste of public resources. Solutions to inefficient, ineffective and cumbersome central government seem to be in delegating authority to local public agencies and fostering competition in public service delivery. It must be clearly understood that delegation of authority does not mean federalization or abolition of the national state system.
- Ministries should be willing to cooperate with the State Planning Organization in the change process. Advocacy of change should be more than rhetoric. Expected results from change can only be obtained if reconciliation with opposition parties takes place and leads to changes in the constitution.

In conclusion, in this change process the main responsibility of the government is to facilitate constructive public discussions that would result in common agreements on administrative reforms, followed by their successful implementation. The political system should also fully support the successful implementation of administrative reforms. It is an indisputable fact that our society deserves modern, high quality public service but there is a long way to go to attain this goal.

This section of the book analyzed the Turkish administrative reforms with broad global perspectives and recent public administrative reform attempts. The following section introduces the public personnel management in Turkey with an emphasis on performance and merit within the personnel system of Turkish public administration.

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PART VI

PUBLIC PERSONNEL MANAGEMENT

The personnel management system that Turkey has adopted cannot be considered without also taking into account the general administrative structure within the country. Just as political, economic, social structures, traditions and the history of the country impact upon public administrative structure and its operation; the same thing can be said about public personnel management.

The Turkish public administration system still includes a large part of the Ottoman legacy. Similarly, the public personnel management system still has features of the Ottoman State. It therefore can be argued that to understand the Turkish public personnel management system, one should study the structures and workings of the Ottoman State.

CHAPTER 1

HISTORY OF THE PUBLIC PERSONNEL SYSTEM

As stated above, Turkish public personnel management system has important Ottoman traces. That is why the history of the Turkish personnel system should be studied starting from the Ottoman State. The Turkish Republic acquired Ottoman public personnel along with many of its institutions in 1923 (Tortop 1999; Güran 1980; Giritli 1979).

The Ottoman Personnel System

The public personnel management system of the Ottoman State can be simply divided into two periods. These are the "ascension period" and the "decline period" in the context of State power.

Throughout the establishment and rise of the Ottoman State its personnel system was based on the Enderun School. Bright children were adopted from Christian families and subsequently converted to Islam while being taught in the Enderun School. Successful graduates of the school were directly sent to the palace. The first Ottoman state officials, and later the highest administrators of the state, were Enderun School graduates. Personnel for works outside the palace were usually graduates of medrese -religious schools. As the State expanded, and diversified the services it provided, its public personnel were also diversified. Starting from the end of the 16th century, there had been four types of public personnel in the Ottoman Empire. These were: The Civil Service (high level administrators), the Scholarship (religious, educational and judicial service administrators), the Military (soldiers) and the Clerkship (mid and low-level public employees) (Eryilmaz 2007; Adal 1968).

In this period, competence and merit were dominant principles of the Ottoman public personnel system. Prospective public personnel were expected to have a high level of qualification appropriate for a particular post in which they were onşu confirmed after successful completion of a probationary period. Once confirmed in post they could be promoted according to a clear career structure.

In parallel with the decline of the Ottoman State and the breakdown of its administration, its personnel system also broke up. The merit-based career system was overtaken by nepotism, and the personnel admission and employment process was destabilized and disrupted. Reforms were started in the Ottoman State during the end of the 18th century to regain the strength it had enjoyed during the heyday of the empire. Reforms were undertaken using powerful European states of the time as models. As it was most similar to the Ottoman administrative culture, the French administrative structure was taken as an example. Hence, a centralized traditional administrative mentality, based on strict rules and regulations, was embraced by the Ottoman State. From then on, the role of central state institutions grew, and this deeply influenced the public personnel system of the Ottoman State. A public personnel management structure that gathered all authorities in the center was formed.

The basic characteristics of the Ottoman State public personnel system can be listed as follows:

- One of the basic characteristics of the Ottoman State public personnel system is related to the wage system. Up until the Tanzimat Reforms (1839), Ottoman civil servants had not received their salaries regularly. The civil servants were given privileges over land in return for their work, and they also charged user fees from beneficiaries. The more personnel worked, the more they earned. Thus, incentives for more work and productivity were created. Moreover, public personnel did not have a right to become rich. If it was found that the amount one saved was not rightly appropriated, the state confiscated it. The confiscation system operated primarily to dissuade personnel from accepting more than their basic salary.
- This system was abolished as Tanzimat reforms were initiated and state personnel started to receive their wages on regular basis. This new salary system lowered efficiency and productivity, due to the fact that both the most industrious, and the least hard-working, personnel received the same amount of salary for their work.
- Another important characteristic is that there was not a distinction between civil and military personnel in the Ottoman State up until the 19th century. The nature of jobs was also not differentiated before that period. The career system also had a complicated and uncertain structure.
- Other characteristics of the Ottoman State public personnel system were related to the nature of the personnel. As is widely known, the number of educated people was very low. Hence public personnel consisted of people from the educated segment of the society. The hugeness of the difference between public personnel and the public in terms of the level of education shaped relations between the rulers and the ruled. Given

their privileges to act on behalf of the public, they became involved in efforts to shape and rule the people from above. They even saw themselves as superior to the society. Thus, elitist public personnel emerged who looked down on the public. A public personnel that was actually disconnected from the society it served.

- Another characteristic of the public personnel system was related to the authority that public personnel wielded. Especially toward the end of the Empire, as the State weakened and relentlessly lost territories, public personnel assumed the role of saving the State. They used this power even against the highest political authority and the Caliph - the Sultan. As previously Grand Viziers were eliminated or condemned to death, this process brought forth elimination or assassination of the sultans.

Despite all their endeavors, the civil and military personnel could not save the Ottoman State, not to mention restore the power it enjoyed during its heyday. However, they could establish a new Republic within smaller boundaries which is today's Turkey.

Public Personnel System during the Early Years of the Republic

It is a given that the role of civil and military personnel in winning the Turkish War of Independence was a foremost determinant factor. Therefore, as public servants had the Ottoman legacy of highly centralized rule, in which they assumed a major role, and moreover they were founders of the republic and undertook the initial modernization project on behalf of the Republic, the importance of the public personnel was tremendously increased in the early years of the Republic. It could be argued that civil servants were the cornerstone of the ruling regime during the early years of the Republic. This, in return, increased the social status of public personnel and prompted the continuation of the disconnection between the society and the ruling elite (Örnek 1998; Mihçioğlu 1957).

Disconnected from the general public, state personnel have worked embeddedly with political authorities. Mutual corroboration between the two parties is at a high level. In parallel to this relationship, a public personnel structure with legal reliability and economic prowess was built in the early years of the Republic (Tortop 1999). The "Memurin Law" was passed in 1926 with the aim of re-organizing the public personnel system. This law espoused career and merit principles in defining educational requirements for entering the civil service. Wage and retirement systems were reorganized. With the putative law of the Memurin Act, wages and social benefits for personnel were improved. The period up until 1950 is known as a "golden era" for public personnel. Memurin Law placed recruitment for public service in the hands of public organizations, which acquired general civil service prerequisites and required minimum

qualifications for entering the public service (Gözübüyük & Tan 2001; Aksoy 1986).

With the Democrat Party winning government office in 1950, the hidden conflict between government and public personnel decreased the social status of the public personnel along with their wages.

The year 1965 is a turning point for the Turkish public personnel system. In this year, with the passage of Civil Service Law numbered 657, the public personnel system was reformed and appropriate contemporary standards were introduced. (Gözübüyük & Tan 2001; Makal 2001; Ergun 1988). That law is still effective in today's Turkey. However, it is operating with some parts having been amended and replaced by other principles.

CHAPTER 2

PUBLIC PERSONNEL SYSTEM: REFORMS, IMPLICATIONS, AND ATTRIBUTES

The Turkish public personnel system was constantly reformed to meet the contemporary needs of society. Despite this on-going reform, the Ottoman legacy has been preserved. A centralized structure based on rules is still maintained and contemporary principles that were espoused have not been adequately implemented.

Preeminent Principles of the Public Personnel System

The Civil Service Law includes fundamental principles such as career, merit, equality, impartiality, and classification in order to meet up-to-date developments.

The Principle of Career

According to the career principle, the civil service is known as an occupation. This principle provides the civil servants with the opportunity to seek promotion and rise up the ladder to top positions. In application, people enter the civil service at a young age and are promoted in accordance with their years of service (Aslan 2005; Canman 2000, 1993; Tortop 1999; Roos et al. 1971). The career system espoused in Turkey is generally a closed career system mentality. Only in special cases can a person get a job transfer from private to public sector as a mid or high level employee. Those who have not worked for quite a period of time in public sector cannot become high-level public officials.

The Principle of Merit

Merit means to recruit those who have necessary qualifications for successfully delivering public services. According to this principle, a person must not face fraudulent preference cases during the recruitment, promotion and termination processes of his or her job. Knowledge, ability, competence, and performance of a person are accepted as basic principles (Aykaç 1990). To put it differently, merit is a principle which is based on knowledge, experience and diploma when recruiting new personnel.

The Principle of Equality

Equality means non-discrimination in terms of language, religion, color, gender, and ethnicity. In fact, the 70th article of the Turkish Constitution emphasizes equality on entering the civil service. According to this, "every Turk has a right to enter the civil service. In recruitment for public offices, there is no discrimination but qualifications the services require".

However, it is impossible to claim that the principle of equality has been implemented fully. It is known that there have been nepotism and favoritism in recruitment, appointment and promotion in civil service (Aslan 2005; Canman 1995; Bakırçı 1992).

The Principle of Impartiality

There is an assumption of impartiality of civil servants in the Turkish public personnel system. Public personnel must act impartially as long as they are civil servants. Impartiality means to deliver public services regardless of political ideology, religion, race, gender, and ethnicity. As a matter of fact, the Civil Service Law prohibits public personnel from membership of, or any act in favor of, any political party with the aim of maintaining impartiality.

In addition to behaving impartially to employers, public personnel are expected to serve to the incumbent government impartially. However, reappointments in public offices following every government change are one of the primary factors of maintaining impartiality towards the political government.

The Principle of Classification

Classification is done with regard to types and characteristics of public services and general and special qualifications of employees. It thus aims to improve the operability of the principles of impartiality and merit in entering the

civil service. The structure of classification is determined in accordance with the personnel system embraced by the country. If a ranking system is accepted than classification is done according to the rank system. If a cadre system is espoused than classification is done according to this cadre system (Akgüner 2002; Tortop 1999; Bakırçı 1992; Aykaç 1990; Altan, Ataç, and Kara 1978).

In a ranking system, personnel in charge of public services have crucial importance. The criteria of classification are the qualifications of personnel. Education and type of diploma are the main qualification criteria. Cadre classification is not based on employees. It is based on work. Characteristics of a task are determined and employees are found accordingly (Yalçın 1999; Tutum 1979).

The Turkish public personnel system is based on a ranking mentality. It is according to this understanding that the civil service is an occupation. People enter the civil services at a young age and within time they are promoted according to their education and general abilities. Level of education and diploma is important in entering the services. Specialized education is not a priority (Tutum 1990).

Turkish public administration system has accepted 10 service categories with The Civil Service Law (Gözübüyük & Tan 2001; Tortop 1999).

- *Class of General Administrative Services:* Administration, execution, bureau, etc services are provided by the personnel of this class.
- *Class of Technical Services:* Occupational personnel like engineers, architects, geologists, hydrologists, physicists, chemists, mathematicians, statistician, technicians, etc. are part of this class.
- *Class of Health Services and Ancillary Health Services:* Doctor, dentist, pharmacist, veterinarian, midwife, nurse, health employee are part of this class.
- *Class of Educational and Training Services:* This class comprises teachers and instructors who are employees of state institutions other than higher educational public institutions.
- *Class of Attorney Services:* Class of attorneys who work for public organizations. Legal advisors of public organizations are not in this class. They are part of the general administrative services category.
- *Class of Religious Services:* This class is made of persons qualified for religious functions.
- *Class of Security Services:* This class includes cadres of General Directorate for Security like police, assistant police chief, police chief, chief superintendent officer, law enforcement leader, security investigator and director in charge of safety and security.

- *Class of Civil Administration Authority:* This class includes occupations like governor and district governorships. The personnel of this class do not necessarily perform these jobs at the time of classification. To have been a governor at some time in history, are enough to be classified in this category, even if they are currently doing another job.
- *Class of National Intelligence Services:* This class is made of public personnel who are part of National Intelligence Organization (MIT) cadres, or who work in command of the organization, and who are defined by special laws or who perform jobs identified by the Prime Ministry.
- *Class of Auxiliary Services:* Public organization employees in charge of conducting a variety of written tasks, collecting and distributing files, guiding and consulting businesses, cleaning, illuminating and heating public buildings, etc. As methods of "personnel services contractions" through tenders have become the norm recently, the number of this class's members has been decreasing.

Forms of Public Personnel Employment

The civil servants, contracted employees, workers and temporary employees make up public personnel. In fact, the 4th article of the State Personnel Law specifies this while setting regulations for employment in public institutions. According to this, public services are provided by government employees, contracted employees, workers and temporary employees. No one can be recruited and employed except for these 4 types of employment.

Civil Servants

In Turkey, basic public personnel are government employees. As a matter of fact, the 1982 Constitution accepts the civil servants as core public personnel with the clause that "basic and consistent tasks necessitated by public services within state economic enterprises and other public corporate entities of the State are carried out by the civil servants and other public personnel according to the general administrative principles". Other public personnel who run basic and consistent services are employees of the armed forces, judges and prosecutors and faculty members of the universities (Makal 2001; Mihçioğlu 1957).

Civil Servants, according to State Civil Servants Law, are personnel in charge of basic and consistent public services within the State and other public corporate entities that are deemed to be carried out by them according to general administrative principles.

Contracted Personnel

In Turkey, employment of contracted personnel is possible according to three separate legal regulations. These are the State Employees Law, local government laws (The Municipality Law, The Special Provincial Administration Law) and the Decree Law numbered 399.

According to the State Employees Law, contracted personnel are the ones with professional knowledge and expertise who are employed for temporary jobs in exceptional cases when necessary to prepare, realize and administer projects which are in development plan, annual program and work programs. Decisions on the employment of contracted personnel are taken by the Cabinet of Ministers by consulting State Personnel Directorate and Ministry of Finance upon the organization's proposal. For contracted personnel performing jobs in technical services area, temporality of their jobs is not a condition/requirement. Amount of wages/compensation paid to contracted personnel are determined by the Cabinet of Ministers (Bakırıcı 1992).

According to the Municipality Law and the Special Provincial Administration Law, contracted employees can be recruited for jobs in providing environment, health, veterinarian, technical, legal, social and economic, culture and art, information and technology, planning, research and development and education and guidance services. Local governments employ contracted personnel in the provision of services when there are not civil servants to fill vacant positions. Outside employees cannot be contracted if there are enough government cadres in specified areas to carry out the tasks. Contracts are made in a yearly basis. On continuing need and vacancy of cadres, contracts are renewed and extended. The pay of contracted personnel employed by local governments are determined by local councils within the framework established by the Cabinet of Ministers. The Decree Law numbered 399 includes regulations related to contracted personnel employed in state economic enterprises. In terms of job security, these latter are relatively better off than those who are employed by central administration and local governments.

Part-time Personnel

Part-time personnel are not considered workers or contracted employees. They are employed for less than a year or on a seasonal basis. Numbers, functions and wages of temporary personnel are determined by the Cabinet of Ministers in consultation with the State Personnel Directorate and the Ministry of Finance. Temporary workers employed in municipalities and some other public organizations are not considered temporary personnel.

Workers

Workers are functionaries who do not fall into the categories of civil servants, contracted personnel and temporary workers. The Work Law is applied for the workers. Workers are responsible for jobs that necessitate not mental but physical efforts. For consistent jobs workers are employed and for temporary and seasonal jobs temporary employees are recruited. Therefore, workers are classified into two groups. Full-time workers are part of the state cadre and part-time workers are employed outside the cadres with a special permit for the temporary worker's position.

The part-time worker's position is not exactly defined in legislation. The concept of a part-time worker can be found neither in the State Personnel Law, nor in The Work Law. According to the Work Law numbered 4857, a part-time job is 30 business days of work at most and a full-time job is one which involves more than 30 days of work.

Another form of indirect employment that has developed since the beginnings of the 1990s is "personnel services contracting". Low performance, mediocre efficiency and high costs of the civil servants and workers have prompted the public-sector organizations to contract personnel from the private sector through tenders. This form of employment was first applied for the sanitation services of state organizations and refuse collection services of municipalities. The results have encouraged a widespread implementation of this method. To the point that even some of the services, such as technical and health-related, that full-time personnel used to carry out, have now been contracted out to private personnel.

Requirements for Entering the Public Service

Prerequisites for maintaining the efficiency and effectiveness of public services are contingent upon the principles of merit and impartiality which are applied in the employment policy of public agencies. Only with merit-based and impartial employment policies can the provision of efficient and effective services be guaranteed. The 1982 Constitution and the State Personnel Law prescribe some basic principles to guide the entrant into public service.

According to the Constitution citizens have the "right" to enter the civil service. The related article of the Constitution states that "every Turk has the right to enter the public services. In recruitment for public offices, there is no discrimination save for the qualifications the service requires." This enactment of the Constitution made principles of equality and merit preeminent.

Without violating the Constitutional principles, the State Personnel Law prescribes the required qualifications for entering the civil service. More specific

conditions for entering the civil service are prescribed in legal documents of the related state organizations.

Some of the general eligibility criteria are: to be a citizen; to be of eligible age; to have a sufficient educational record; to be not deprived of public services; not to be convicted of an offence; for men to complete or to be waived from compulsory military service; and to have adequate health conditions.

The basic condition for being a civil servant is Turkish citizenship. However, non-citizens can be employed in some public services. Foreign nationals can be employed in temporary and contracted personnel status, especially in technical and health areas, to meet the gap in labor force. The laws prescribe the exact regulations for employing non-citizens.

Age requirements are not openly expressed in legislation. While there is a minimum age requirement for entering the civil service, there is no maximum age requirement. Turkish citizens at the age of 18 and above can become civil servants.

The minimum educational requirement is to have a complete secondary school education. Yet according to the required qualifications for services, educational requirements may differ when selecting applicants. Qualifications like having a college diploma, vocational training certificate or knowing a foreign language may be sought during the recruitment processes.

In practice, personnel cadres are classified in two groups: group A and group B. For group A cadres, the necessary condition is to be a university graduate, whereas for group B cadres, at least high school or secondary school graduation is enough.

Generally, job candidates need to be healthy to enter the civil service. Health criteria necessitates that a public employee does not have any bodily or mental disability that could prevent the employee from continuing to do the job. However, the disabled are not completely prohibited from entering the civil service. In some working conditions, the disabled can be employed.

In Turkey, prospective public personnel must not be the "incapacitated". Put another way, the ones whose public rights are annulled and ex-prisoners who have committed certain crimes cannot become public personnel. The ones who committed crimes resulting in a custodial sentence, crimes against the state and disgraceful crimes cannot enter the civil service.

In addition to meeting the above-mentioned requirements, prospective male public personnel are required to have dealt with their military service. Military service is obligatory for male citizens in Turkey. Anyone who wants to be a public employee needs to have either served the military service or delayed it, or to have a certificate of exemption. Departure of a public employee for military service interrupts the provision of public services. For the services not to be interrupted, candidates who have completed the military service are preferred.

Recruitment policy and authority are as important as the eligibility criteria outlined above. There is a centrally administered examination system called "Public Personnel Recruitment Examination" (KPSS) in Turkey for entering the civil service. Candidates are recruited according to the points they have recruited in the examination. Related organizations and ministries have their additional examinations for group A cadres. Recruitment of group B cadres is administered by the center in parallel with the examination process.

However, it is not required for the ones who are candidates for "civil servants with exception" to take the KPSS exam as it is stated in the State Employees Law.

Newly recruited civil servants work as "candidate civil servants" for one or two years. During the period they are trained and developed, and exposed to tests (performance evaluations). Successful "candidate civil servants" are appointed as "genuine civil servants".

Rights and Duties of Public Personnel

Public personnel are required to fulfill the responsibilities assigned to them in a regular manner. Public personnel have certain rights as they have duties and responsibilities.

Duties and Responsibilities

Civil servants are supposed to enforce the Constitution and the law, and be *loyal* to those laws in every action of them. *Impartiality and adhesion to the state* is another obligation of civil servants. Civil servants cannot discriminate against language, race, gender, political ideology, religion, etc while fulfilling their jobs. In addition, they have to protect the interests of the state and its institutions (Gözübüyük & Tan 2001; Tortop 1999). Civil servants, both in their work and private lives, have to act the way their *public status* requires. They are also responsible for *cooperating* with their colleagues.

It is obligatory for them to *follow the orders of their superiors*, to be in the workplace during the work time and to *protect the state property* they use in the workplace. In addition, they have to *declare their property* once in every five years to avoid corruption, bribery and unfair enrichment.

Uniforms are required for public personnel and especially for civil servants in Turkey. The attire they are supposed to wear in the workplace is specified in detail in the related guide. And civil servants are required to *reside* in neighborhoods close to their workplace, though the meaning of this obligation has been lost due to advances in communication and transportation technology.

The most rigorously followed rule is that of obligatory attire. The rule related to residence is being followed no longer. But the rule is still in on the statute books.

Prohibited Acts and Activities

Civil servants are prohibited from carrying out certain acts, behaviors and activities. Civil servants are prohibited from *collectively draw writings on their clothes, complain or protest*. However, members of certain professions organize demonstrations or marches against the conditions in which they are working. These kinds of behavior are generally tolerated by the government.

In Turkey, civil servants have the right to *establish labor unions and organize mass meetings*. However, because they have no grievance rights, they are not using their labor union rights efficiently. Police and military officers do not have labor union rights. In addition, except for public university faculty and staff, public personnel are prohibited from becoming a member of a political party. Whereas public employees with status like workers and contracted employees can be members of political parties, the civil servants cannot.

Civil servants *must not be involved in commercial or trade activities to gain profits*. The purpose of this restriction is to make sure that civil servants spend their time and energy for public services. However, it is known that low-level civil servants are involved in other secondary work to earn money, although it is prohibited for them to do so. Besides, it is also prohibited to *receive gifts or to gain profits from business owners*. The civil servants must not receive any fees or gain profits in return for their services. Similarly, civil servants are prohibited from participating in tenders to the public organization that they left or resigned from; *they cannot do business on behalf of their previous/former organization*.

Basic Rights

As outlined above, the Turkish personnel system is based on civil servants when evaluated from the perspective of the Turkish administrative tradition. Therefore, there are regulations recognized for the civil servants and for their protection. The most important of these regulations, known as the rights of civil servants, is *legal security/protection*. Any regulation dealing with the status of civil servants needs to be legal (made by law). Civil servants cannot be bound by administrative decisions related to their status.

Another right recognized for civil servants is *job security*. The most secure job in Turkey is the civil servantship. Civil servants cannot be laid off/fired arbitrarily. They continue to work as long as they do not commit any crime that

necessitates firing. Therefore, a civil servant can retire without doing any work as long as he/she is not involved in any criminal activities.

Adjudication of crimes related to their functions, or to them during their employment, is carried out according to special regulations. Criminal proceedings of civil servants are different from those of ordinary citizens. Apart from this, civil servants have the right to individually *complain*, *sue* against organizational implementations, use *a leave*, and *retire* at the end of their career.

Quantitative Data on Public Personnel

In parallel to the rise of services provided by the state, the number of public personnel has increased. Especially in a country like Turkey, where a state economy policy was embraced, state institutions were viewed as a means of employment. On the other hand, job security and the fact that public employees received their wages regularly even at times of financial crisis, plays a crucial role in the increase of numbers of public personnel.

The rate of increase in public employees has well exceeded that of the increase in the general population. In 1927, there were 89,813 civil servants, whereas in 2000 the number had reached 2,135,028. While the population increased 5 times during this period, the number of civil servants grew nearly 24 times. In 1927, there was a civil servant for every 144 citizens, whereas in 2000 the number has decreased to 30 citizens (Eryilmaz 2007). According to OECD data, when compared among member countries the percentage increase in civil servants from 1990 to 2000 was highest in Turkey with 43% (OECD, 2001).

TABLE 1: INDEPENDENT PERSONNEL CADRES ACCORDING TO YEARS

Years	Independent Cadre*	Rate of Increase (%)
1980	1.170.224	0,00
1985	1.316.661	11,1
1990	1.542.433	14,6
1995	1.809.877	4,20
1996	1.817.274	0,41
1997	1.839.224	1,21
1998	1.970.286	7,13
1999	2.045.206	3,80
2000	2.094.932	2,43
2001	2.108.335	0,64
2002	2.114.897	0,31
2003	2.156.625	1,97
2004	2.170.159	0,63
2005	2.155.730	-0,66
2006	2.164.170	0,39
2007	2.248.484	3,90

*Numbers are as of 20 June 2007.

Source: Prime Ministry State Personnel Directory, www.dpb.gov.tr

Table 1 gives information about the number of civil servants employed in institutions and organizations within the central administration. The number of public personnel employed in local governments and state economic enterprises (SEEs) is not included. Table 2 gives information about employment in the public sector overall. However, it should be noted that the information has been compiled from data prepared by different institutions (Treasury, General Directorate of Local Administrations). It is not possible to acquire statistical data on the number, status and properties of personnel employed in institutions and organizations of Turkish public administration.

TABLE 2: PUBLIC PERSONNEL RECRUITMENT INFORMATION (2006)

Related Administrative Rank	Personnel	Contracted Personnel	Worker	Total
Central Administration*	2.248.488	?	?	?
Local Governments	89.522	5.160	216.201	310.883
State Economic Enterprises	6.760	84.998	134.582	226.340
TOTAL	2.344.770	90.158	350.783	2.785.711

* Information about contracted personnel and workers of the central administration organizations is not available.

Source: www.hazine.gov.tr, www.dpb.gov.tr, www.mahalli-idareler.gov.tr

Apart from the above data, 3,019,000 of the active labor force in Turkey are employed in the public sector according to published employment statistics of Turkish Statistics Institute (TÜİK). However, there is a discrepancy between the data of the table above and the data provided by TÜİK. This stems from the lack of data and the fact that data are collected from different sources and institutions. According to TÜİK data, total number of employed work force is 22,330,000. And roughly 13.5% of this represents public sector employees.

Characteristics of the Public Personnel System

Following the aforementioned, the main features of the Turkish public personnel system can be classified as below (Eryilmaz 2007):

- *The civil servantship is based on closed career mentality:* In this system, middle and upper level civil servants cannot be recruited from outside. Differently put, the closed career system means that there is a restriction of personnel transfer between private and public sectors.
- *General education is a basis for entrance to civil service:* Public employees are recruited not for concrete tasks or cadres but for a general service area. For this reason, the entrance examination tests mostly general knowledge and educational background. Examinations that require expertise are limited to certain occupations. This mentality and practice is based on the assumption that necessary skills and qualifications for providing public services are learned while doing the job.

- *Entrance to civil service is realized through centralized examination system:* The centralized examination system was embraced with the aim of minimizing favoritism. Only successful candidates can become public personnel. As with the centralized examinations system, certain cadres are deployed in public offices from the center, whereas some other cadres take the examination of the particular office they seek.
- *Seniority and education level are determinant factors in promotions:* There is a 15-degree hierarchy of ranks in Turkey. In every degree there are 3 echelons/steps. Diploma is the only measure for the entrance and identification of highest level of promotion of an employee in the public sector. Within degrees and echelons, most important factor is the length of employment, or seniority. This system prevents the successful personnel from being promoted to upper ranks within short period of time.
- *Salaries and wages are organized on class and degree basis:* Salaries and wages are determined on the basis of educational background, class and seniority, and performance is not taken into consideration. Yet in some circumstances the employing organization/institution determines the wages. It is therefore possible that civil servants with same education and seniority level could receive different salaries just because they work for different organizations.
- *Civil servantship is a secure status:* Unless he/she is found guilty of a crime that necessitates dismissal, a civil servant is employed until retirement. Firing personnel because of their failure and incompetence occurs very rarely. The status of civil servants is taken under legal protection. However, excessive job security has a negative impact on the motivation of personnel, leading to inefficiency in work.
- *Civil servantship is a formalist status:* The civil servantship mentality is based mostly on adjusting functions to prescribed rules and bureaucratic norms rather than applying measures of efficiency, effectiveness, quality, etc.
- *Legal inspection of civil servants is bound by special rules/laws:* There is a condition of taking authorization for adjudicating against civil servants on any accusations arising from actions in the workplace or related to their jobs.
- *Unitary personnel system is espoused:* A single personnel regime is implemented in bodies and institutions of the central administration, local governments, state economic enterprises and other top organs. State Personnel Law numbered 657 is binding for the above-listed institutions/organs. They cannot employ public personnel with a different status regardless of the difference in terms of economic, social

and geographical conditions in providing public services. Only local governments can employ contracted personnel.

Problems within Public Personnel System

The current public personnel system in Turkey harbors problems related to various factors such as its historic tradition of centralized and status-quo mentality, and the lack of merit system. The most prominent problems can be summarised as follows:

- A primary problem is that Turkey does not have an employment policy and strategy. In the public sector, labor force planning and identification of number and quality of personnel needed for public bodies, does not take place. Therefore, there are problems with excessive employment and inter-organizational imbalance. It is possible to find employees who actually do not work, or work with very low performance, in public organizations. Despite this fact, most public managers complain about a lack of staff members.
- In 2000 there were attempts to transform public organizations to embrace the norm cadre system. Under the new system, labor force planning would take place and the identification of the number and quality of the personnel necessary for public organizations would be undertaken. However, the norm cadre policy was annulled/abolished before its implementation period ended. Later local government laws espoused the norm cadre application. However, as the determinant role of central administration continued within the implementation process, the norm cadre system was not established.
- The personnel system experiences difficulties coping with change and with adapting to developments occurring at a global level. As discussed above, the success attained in private sector labor force efficiency has increasingly become an example for public administration in several countries. It aims to improve the performance of personnel, and to establish payment and promotion systems based on performance. In Turkey, there is rarely any effort aimed at increasing work efficiency of public personnel. The idea that civil servanthip is an exclusive/privileged job is still prevalent. In parallel with this, prerogatives like job security and special treatment in legal inspection/adjudication have not been abolished.
- As stated above, one of the problems of the personnel system is work force inefficiency. The number of public employees is increasing, yet efficiency and effectiveness in provision of services are not improving at the same rate. There still exists a public service gap. Lack of efficiency

stems from two factors. Firstly there are few, if any, tools for motivation in use in the Turkish public sector. Problems associated with payment method/regime and career promotions act to demotivate personnel. The bonus payment system was introduced to motivate employees. However, it is hard to say that this system has worked objectively/fairly. Subjective evaluations and favoritism would seem to have resulted in further demotivation.

- Favoritism has played an important role in employment and promotions, and caused the personnel system to become fundamentally corrupt. In the past, in the absence of a centrally administered examination system, employment policy was based on various forms of favoritism (political, spouse-friend, relative, fellow countryman or townsman). That has resulted in a personnel system lacking in quality and relevant employment experience.
- Another area affected by favoritism is intra-organizational work and promotion conditions. Intra-organizational promotion is based on an examination system in Turkish public institutions. However, promotion of successful examinees to top management is not encountered frequently. In promotions and appointments to top management, political favoritism plays an effective role.
- Personnel switch jobs more than necessary within public organizations for personal and political reasons. Employees change units at a time when they have learned how to do the job and mastered the necessary skills to perform well. This kind of personnel mobility, stemming from various reasons, impedes specialization and efficiency in job, and negatively influences stable development in public administration.
- There are no clear and exact definitions of function, capacity/authority and responsibilities of personnel. Personnel do not know what functions and tasks need to be done, and fail to draw the boundaries of discretion and responsibility. This situation gives personnel a chance to avoid responsibility, prevents the acquisition of a sense of job 'ownership' and accountability, and obstructs efforts to build an effective control system to monitor personnel. Since the job description is not clear, it has been difficult to identify responsibilities.
- Wage differences between workers and civil servants are another problem of the public personnel system. In Turkey, workers receive higher salaries than civil servants, and both groups of personnel have labor union rights. However, civil servants do not have grievance/strike rights and thus they do not have a say in determining their wages. In spite of negotiation meetings, the one-sided decision of the government prevails. The strike and collective bargaining agreement rights of the

workers have mostly been effective in getting the wages they want. And this has caused a crucial difference in wages.

- The wage difference between civil servants and workers has detrimental effects on civil servant motivation. There exist both worker status employees and civil servant status personnel doing similar jobs in the same organization. Receiving different wages for the same job is unacceptable for the employees of any organization. Constantly criticized by the civil servant status personnel, this situation is highly detrimental work efficiency and employee motivation.
- Another basic problem of the personnel system is the fact that civil servants do not receive fair and sufficient payment. The payment is organized according to criteria such as seniority and level of diploma, instead of pay being proportionate to the rate of success in accomplishing the task, and in performance generally. The wages of civil servants have lagged behind the poverty line. In addition, public personnel receive different pay for the same job just because they work for different public organs. Low pay discourages high quality personnel from entering public service. This situation is one of many factors turning the already rampant inefficiency problem into a chronic malaise.

The problems stated above have been waiting for solutions for a long time. The existence of these problems, and the fact that the public personnel system is in ruins, have become undisputed facts which are regularly discussed. No consensus has yet been reached as to how these issues can be resolved. However, the expectation, and acceptance, of change in the personnel system has increased in parallel with recent changes to the public administration system.

Transformation in the Public Personnel System: Some Remarks

Great social and political transformations, the technology revolution and other similar phenomena occurring across the world, have led to restructuring of public administration globally, and the impact of this change has reached Turkey. Recent developments in the private sector, and in public administration, have started to demonstrate some concrete results. As traditional public administration is increasingly being replaced by new public management, a new public personnel system is also being introduced. This long-awaited personnel system has not yet proved itself. However, we can discuss certain indicators which are already apparent.

- The initial benchmark of transformation in the Turkish public personnel system is the replacement of the "personnel management" phrase with "human resources management" in laws for local government passed since the millennium. The usage of the latter phrase has not yet

transformed the mentality and practice. But it shows that a conceptual shift has taken place which aims to embed human resource management within public administration. Instead of traditional administration, techniques from the private sector are preferred, and human resource management is being established within the new public management paradigm. These efforts include the introduction of citizens being seen as customers, the need to take the demands of customers seriously, and have been accompanied by the need to increase the efficiency of employees. However, it is expected that these developments will take time. Having struggled for so long to bring constructive change to all areas of the public administration system, Turkey needs to continue the struggle to usher in new personnel systems, with an emphasis on human resource management.

- Legal acts passed with respect to the adoption of a norm cadre system in local governments can be perceived as the foundations of a rational employment policy and strategy. Albeit shaped by central government intervention, the implementation of a norm cadre system is an important step in identifying the necessary number and quality of personnel employed in public services. It is expected that this practice will spread across all public bodies and institutions.
- There have been efforts to increase work efficiency and implement policies related to the employment of better-qualified personnel. The widening of areas in which contracted personnel have been employed is a clear illustration of this case. Public institutions have started to increasingly hire part-time and contracted personnel rather than civil servants and workers with permanent personnel status. In some cases personnel services have been contracted out to private sector organizations. The diminishing tendency of public institutions to hire personnel with permanent status heralds the dawn of a new era in which a "management" mentality gains preeminence over a "normative/prescriptive" mentality.
- There are also signs showing the institutionalization of performance-based evaluation and remuneration structures. Local government regulations have created performance measurement criteria. Although they have not been implemented yet, with time these new regulations are expected to replace traditional custom and mentality.
- The adoption of a centralized examination system brings in operationality for the merit principle. Although second-round examination processes at the organization level could lead to a continuation of favoritism, serious steps have now been taken when compared to previous decades. A centrally administered examination and placement process have

definitely contributed to the reduction of favoritism in Turkish state institutions.

- The designation of ethical principles for public personnel is seen as an important step in preventing corruption and degeneration, and maintaining impartiality. The Ethics Council was established to be a source of support for employees who find themselves in ethically questionable situations. It will also monitor complaints and be available for consultation. Ethical principles, and the Ethics Council, are expected to contribute to the reduction of corruption, degeneration, favoritism and patronage to a significant extent.
- Another positive sign for the future can be seen in legislation passed to improve transparency in public organizations. The contribution of transparency is twofold. Firstly activities, operations and decisions of public personnel are open to public scrutiny, which increases the accountability of public employees. Secondly it prepares the environment for prevention of favoritism in the promotion and employment of personnel. Knowing that every decision is transparent, a decision maker is less prone to take decisions that (s)he cannot justify.
- In addition to remarks mentioned above, relatively smaller gestures of transformation in public personnel system can be observed in government programs, development plans and draft work programs. As a matter of fact, a discussion panel entitled "Design Draft of Public Personnel Law" was established in October 2005. Primary innovations resulting from the draft include facilitation of employing contracted personnel, implementation of part-time personnel recruitment and regulation of outsourcing personnel services. Performance measurement designed to embrace the policy of equal pay for equal work is one of the regulations which has arisen from this draft legislation.

Another crucial innovation within the new legislation is related to compensation for acts of negligence arising from the shortcomings of personnel. Such personnel are now personally responsible for payment of any such compensation.

Alongside the application of new techniques, the draft legislation has also protected some traditional values and practices. No changes were made in entrance requirements to the civil service, in the rights and duties of public personnel and disciplinary regulations.

When assessed overall, the draft legislation attempts to find a balance between the overwhelming need to establish a new system, and the conservative tendency to protect the traditional civil service laws. Proponents of the traditional public personnel regime criticize the draft legislation for embracing policies such as contracted personnel recruitment, contracting personnel services, equal pay for

equal work, and performance measurement. Advocates of new public management contend that the rights and duties of civil servants and disciplinary regulations related to them are in conflict with "human resource management" and new public management techniques.

The draft legislation did not please everyone. Aware of this situation, the government did not resume discussions on the issue, and postponed the legislation. However, many people agree that the traditional public personnel system has become deficient, and a strong belief in the necessity for reform is prevalent. There is also a demand from society at large, and pressure on the government to introduce change and undertake reform in the public personnel system. Society is demanding change and transformation. The general education level of the population has risen. The passive social structure of Ottoman times and the early Republican era is a thing of the past. Civil society organizations and all individuals have started to question what civil servants do. Mute acceptance has been replaced by a desire to know and understand what exactly civil servants do, along with a demand for accountability. Civil servants are no longer regarded as having a privileged status when compared to members of other occupations. There is now an expectation that civil servants must be accountable to citizens for their actions, behavior and responsibilities.

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PART VII

PUBLIC FINANCE

Parallel to the concept of New Public Management (NPM) and the administrative reforms, the Turkish public finance management has also undergone significant change. Within the framework of reforms in public administration, financial structure has also experienced reform. The changes in public financial management can be described as reflections of private sector practices on the public arena. Worldwide developments, together with the economic and financial crises in Turkey, have made the need for those reforms more apparent. In addition, the impact of international organizations such as the World Bank (WB), International Monetary Fund (IMF), and Organization for Economic Cooperation and Development (OECD) have played an important role in the process (DPT 2006; Altay & Kaplan 2006).

This part of the book will introduce Turkish public finance and recent changes in its structure together with an overview of revenue and expenditure. The principle law regulating financial structure Public Finance Management and Control Law Numbered 5018 of 2003 will also be examined.

CHAPTER 1

PUBLIC FINANCE: REVENUE, EXPENDITURE AND AGENCIES

Public finance is a discipline that studies government activities, public expenditure, and alternative revenue sources to finance public affairs (Stiglitz 2000). Public finance is the discipline by which governments carry out their functions in terms of spending, regulatory programs and taxation. Government operations are those activities involved in the running of a state.

Public finance is a field of economics that deals with budgeting the revenue and expenditure of a government. Public finance activities include: effects of government spending, taxation, borrowing, businesses, and the economy; rules that should apply to the conduct of such activity; tax incidence; government-mandated provision of goods and services; cost-benefit analysis of governmental activities; the role of government in affecting income distribution through taxes, government spending on goods, and transfer payments; efficiency and distribution effects of different kinds of taxes (on income or consumption); finally, fiscal politics, modeling public spending and taxation as affected by interactions of self-interested voters, politicians, and bureaucrats (Türk 2006; Aktan 2000; Stiglitz 2000; Musgrave & Musgrave 1989). It is also known as public sector economics or public economics. As implied earlier, public finance has two main branches: public revenue and public expenditure (Eker 1996; Meriç 2007).

Public Sector in Turkey

The economy consists of the private and public sectors.¹¹ The most important factors that affect the proportions of these two closely related sectors are political structures, and the economic, social and historical characteristics of the country concerned. With the proportional rise in government functions and public sector

¹¹ Civil society (also called the nonprofit or social sector) has also started playing a significant role in any country's economy. However, it is outside the content of this chapter.

expenditure, the role of the public sector within the general economy has also become significant.

The public sector generally produces and delivers non-competitive and/or semi-non-competitive public goods and services. Public goods are non-excludable and transferable. Non excludability means the consumption of the goods is not limited to a specific group of consumers. For example, a park may be created in a specific location within the local community. However, the benefits of that park could be enjoyed by a much larger consumer group than that of residents of the immediate neighborhood. The transferability feature of public goods means that the consumption by individual will not lead to others being deprived. In other words, public goods and services are not mutually exclusive.

Public decisions and policies related to issues within the public sector are taken/compiled through social and political preferences. To determine the proportion of the public sector in the general economy the simple technique of calculating the ratio of public revenue and expenditure to Gross National Product (GNP) is used. According to this measure, the proportion of the public sector within GNP is growing in Turkey. While the average proportion of public expenditure was 23.5% in 1980s, it was 31.6% in 1990s. The proportion of public revenue, on the other hand, was 20.4% and 22% respectively (Varcan & Çakır 2007).

The proportion of the public expenditure and revenue in Gross National Product in Turkey increased between 2000 and 2005 from 31.3% to 40.71%. Up to 2006, the public sector in Turkey comprised organizations with a consolidated budget, state economic enterprises, local governments, social security agencies, funds, and working capital funds (Varcan & Çakır, 2007).

With the Public Finance and Control Law No. 5018 of 01 January 2006 (DPT 2006) the Turkish public sector was rearranged into the following public corporate entities (Article 3-12; Ataç & Moğol 2006)

- Public administrations
 - Public organizations within central government
 - Organizations with general budget (Table 1),
 - Organizations with special budget (Table 2),
 - Regulatory and Supervisory Authorities (Table 3),
 - Social Security Agencies (Table 4),
 - Local Administrations
- State Economic Enterprises

The law restructured the Turkish public sector by replacing the supplementary budget organizations with general and special budget organizations. Additionally, working capital funds were integrated into related administrative budgets.

Table 1 presents government organizations with a general budget. A general budget means the budgets of legislative, executive and judiciary branches of the government. Government organizations with a general budget are TGNA, presidency, prime ministry, ministries, affiliated and relevant organizations, and courts.

TABLE 1: PUBLIC ORGANIZATIONS WITH GENERAL BUDGET*

Turkish Grand National Assembly (TGNA)
Presidency of the Republic
Prime Ministry
Constitutional Court
High Court of Appeals
Council of State
Audit Court
Ministry of Justice
Ministry of National Defense
Ministry of Interior
Ministry of Foreign Affairs
Ministry of Finance
Ministry of National Education
Ministry of Public Works and Settlement
Ministry of Health
Ministry of Transport
Ministry of Agriculture and Rural Affairs
Ministry of Labor and Social Security
Ministry of Industry and Commerce
Ministry of Energy and Natural Resources
Ministry of Culture and Tourism
Ministry of Environment and Forestry
Secretariat General of National Security Council (MGK)
National Intelligence Organization (MIT)
General Command of Gendarmerie
Turkish Coast Guard Command
Direktorate General of Security Affairs
Presidency of Religious Affairs
State Planning Organization (DPT)
Undersecretariat of Treasury

Foreign Trade Organization (DTM)
Undersecretariat of Customs
Undersecretariat of Maritime Affairs
Secretariat General of European Union Affairs (ABGS)
Council of Higher Supervision (YDK)
State Personnel Organization (DPB)
Administration for Disabled People
Turkish Statistical Institute (TUIK)
Revenue Administration
State Water Affairs General Directorate
General Directorate of Highways
Direktorate General of Land Registry and Cadastre
General Directorate of State Meteorology Affairs
Direktorate General of Agricultural Reform
General Directorate of Petroleum Affairs
Direktorate General of Press and Information
Direktorate General of Social Help and Solidarity
Social Services and Children Protection Administration
Direktorate General Family and Social Research
Direktorate General on the Status of Women
*Source: Public Finance Management and Control Law 5018 of 2003, Scale No. 1.

Table 2 presents government organizations with a special budget. In general, these administrations are organized as functional local government outside of the general administration.

TABLE 2: PUBLIC ORGANIZATIONS WITH SPECIAL BUDGET*

Council of Higher Education, Universities and Institutes of High Technology
Council of Higher Education (YOK)
Student Selection and Placement Center (OSYM)
Universities and Institutes of High Technology (85**)
Other Organizations With Special Budget
Undersecretariat of Defense Industries
Atatürk High Institution of Culture, Language and History
Institute of Turkey and Middle East Public Administration (TODAIE)
Scientific and Technological Research Council of Turkey (TUBITAK)
Turkish Academy of Sciences (TUBA)
Turkish Academy of Justice
General Directorate of Higher Education Credit and Hostels Institution
Directorate General of Youth and Sports (GSGM)
General Directorate of State Theatres
State Opera and Ballet
Directorate General of Forestry
Directorate General of Foundations
General Directorate of Health for Borders and Coasts
General Directorate of Electrical Power Resources Survey and Development Administration (EIE)
General Directorate of Mineral Research and Exploration (MTA)
Directorate General of Civil Aviation
Turkish Accreditation Agency (TURKAK)
Turkish Standards Institution (TSE)
National Productivity Center (MPM)
Turkish Patent Institute
National Boron Research Institute (BOREN)
Turkish Atomic Energy Agency (TAEK)
Medium-sized Enterprises Administration (KOSGEB)
Export Promotion Center (IGEME)
Turkish International Cooperation and Development Agency
Environmental Protection Agency for Special Areas
Southeast Regional Project Regional Development Administration (GAP)
Privatization Administration
Public Auditing Agency
Agency for Workshops in Punishment and Prisons
Occupational Proficiency Agency

* Source: Public Finance Management and Control Law No. 5018 of 2003, Scale No. 2.

**In numbers as of 28 December 2007

Table 3 presents the Regulatory and Supervisory Authorities. These authorities are usually formed as agencies, boards or supreme boards with their own special acts of parliament.

TABLE 3: REGULATORY AND SUPERVISORY AUTHORITIES*

Radio and TV Supreme Board
Telecommunication Agency
Capital Markets Board of Turkey
Banking Regulation and Supervision Agency
Electricity Market Regulatory Authority
Public Procurement Authority
Competition Agency
Tobacco, Tobacco Products and Alcohol Markets Regulatory Authority

* Source: Public Finance Management and Control Law 5018 of 2003, Scale No. 3.

According to the Social Security Act 5502, all social security organizations were consolidated under the Social Security Agency.

TABLE 4: SOCIAL SECURITY AGENCIES*

Social Security Agency
Turkish Work Agency (ISKUR)

*Source: Public Finance Management and Control Law 5018 of 2003, Scale No. 4.

According to the mid-term program prepared by the Council of State and approved by the Council of Ministers encompassing 2006-2008, which was implemented by Law No. 5018, all public institutions began to perform accrual based accounting and analytical budget codification by the end of 2006. In 2006 all social security organizations were consolidated under the Social Security Agency. Despite the fact that Law No. 5510 on Social Insurance and General Health Insurance was passed on May 31, 2006, some articles of the law were canceled by the Constitutional Court, and implementation was postponed to July 1, 2006 due to planned rearrangements related to the law. The number of people in Turkey actively and passively insured by public agencies is 14.908.290 and 7.348.154 respectively. (Social Security Agency 2006).

Public Revenues

Public expenditure can be met through taxation, issuing of money, borrowing, and from other sources. According to Article 73 of the Constitution, "Everyone is under obligation to pay taxes according to his/her financial resources, in order to meet public expenditure. An equitable and balanced distribution of the tax burden is the social objective of the fiscal policy. Taxes, fees, duties, and other such financial impositions shall be imposed, amended, or revoked by law. The Council of Ministers may be empowered to amend the percentages of exemption, exceptions and reductions in taxes, fees, duties and other such financial impositions, within the minimum and maximum limits prescribed by law."

Types of Public Revenue

Taxes: Economic values (monies) collected one-sidedly, decisively, and mandatorily from individuals by the state, based on its sovereign power and in accordance with ability-to-pay principle, to realize public expenditure and services. Taxes are the most important source of public revenue today.

User fees: Monies paid for public services by people using and benefiting from those services (e.g. notary fee, university tuition and fees, etc.). The most important characteristic of user fees is that they are paid in exchange for certain benefits, while there is no reciprocity in taxes. Any qualifying individual must pay taxes even if he or she does not benefit from public services. However, no one can be forced to pay fees if they do not benefit from the services provided by public agencies.

Licence fees: Monies paid for rights and permissions given by public organizations to perform certain duties. Import seal license, right to dock are some examples of these kinds of revenues.

Betterment taxes: Some public works of certain government agencies and municipalities result in increase of value of real estate properties in related areas. The involvement of those property owners in the support of those public works is called betterment taxes (şerefiye).

Borrowings: The government borrows when it cannot meet expenditure from public revenue. Borrowing resembles taxes when it becomes inevitable. This is not always the case. However, borrowing is generally an optional and not mandatory type of public revenue.

Para-fiscal revenues: Also known as tax-like revenues, the para-fiscal revenues are levied on finance organizations delivering certain services. These mandatory payments are collected by such organizations as chambers of commerce and industry, bars, and state retirement funds.

Fines and tax penalties: Fines are monies levied for activities and deeds against the law. The purpose of fines is not to obtain revenue, but to make citizens abide by the law. Tax penalties are monies levied for deeds against tax laws, and they serve the same purpose.

Monetary policy and issuing money: Sometimes during periods of devaluation of national currency, governments may obtain revenue. Revenue through issuing of money, on the other hand, can be in the form of coining of money or issuance of banknotes.

Property and enterprise revenues: monies received when the government sells or leases out certain properties or enterprises.

Financial sole trade revenues: Government can monopolize production of certain goods, which would result in higher prices for those goods. This would partly mean additional consumption taxes.

International subsidies: They are generally international financial support in such spheres as military, politics, and economy.

Public Expenditure

Public expenditure is government expenditure to deliver public goods and services. It is expenditure carried out by central administration, local administrations, other public agencies, and state economic enterprises.

Types of Public Expenditure

Operating expenditure: This is annually recurring consumption and administrative expenditure.

Capital expenditure: This is expenditure used to purchase capital goods with utility and long-term benefits.

Transfer expenditure: This is expenditure in exchange for no goods or services. Transfer expenditure results in a transfer of funds from government to other individuals or entities.

Below is the summary of Turkey's 2007 economy with 2008 Budget figures and 2008 goals (Maliye Bakanlığı 2007):

- As a result of trust and stability achieved between 2003 and 2006, the Turkish economy experienced an average growth of 7.3 percent,
- The 2002 Gross National Product (GNP) of \$181 billion is expected to be \$520 billion in 2008,

- The 2002 fixed capital investments of \$47 billion is expected to be \$155 billion at current rates in 2008; the figures for private sector fixed capital investments are \$30 billion and \$122 billion respectively,
- The 2002 per capita income of \$2,598 is expected to be \$7,000 in 2008,
- In terms of purchasing power parity (PPP), which facilitates comparison of income levels of countries, the 2002 per capita income of \$6,550 is anticipated to be \$9,681 in 2008,
- While average inflation was around 70% between 1993 and 2002, it was 8.4% in November 2007,
- The foreign trade value is expected to be \$270 billion at the end of 2007. By November 2007 exports were \$105.3 billion. Imports between January and October 2007 were \$137 billion.
- The 2007 January-October direct capital inflow of \$15.3 billion financed 59% of current deficit,
- While the average foreign direct capital inflow before 2003 was around \$1 billion, it reached the record of \$20 billion in 2006,
- While the October 2002 internal borrowing interest rate was 64%, it decreased to around 16% in 2007,
- While the 2002 ratio of Public Sector Borrowing Requirement to Gross Domestic Product (GDP) was 12.6%, it is expected to be -0.33 in 2008,
- While privatization between 1995 and 2003 was at the level of \$8 billion, it exceeded \$40 billion between 2003 and November 2007,
- The budget expenditure, budget revenue and budget deficit of the 2006 budget were 178.1 billion YTL, 173.5 billion YTL and 4.6 billion respectively,
- As of the end of 2007, the following figures are expected: Central government budget expenditure 202.9 billion YTL; central government budget revenue 188 billion YTL; budget deficit 14.9 billion YTL; primary surplus 34.1 billion YTL,
- The following figures are expected to be achieved with regard to 2008 macroeconomic values: Gross National Product (GNP) 716.6 billion YTL; growth rate 5.5%; Consumer Price Index 4%; export 17 billion YTL; import 182 billion YTL; per capita income \$7,000; per capita income according to the purchasing power parity (PPP) \$9,681, and
- The following figures are expected to be achieved with regard 2008 budget: Central government budget expenditure 222.6 billion YTL; net budget revenue 204.6 billion YTL; budget deficit 18 billion YTL; primary surplus 38 billion YTL.

Ministry of Finance

The government utilizes various institutions to execute public expenditure and to collect revenues for those expenditures. The most important one of these institutions is the Ministry of Finance.

Duties (The Duties and Organization of the Ministry of Finance Governmental Decree Having the Force of Law No. 178 of 1983):

- To help prepare fiscal policies, and to implement them,
- To provide legal consultancy and procedural services to government,
- To develop and implement expenditure policies,
- To prepare and implement the government budget, and to monitor and manage its implementation,
- To perform bookkeeping and accounting of government activities,
- To develop and implement revenue policies, and to levy revenues,
- To manage, allocate, lease, maintain, and perform other related activities regarding public property,
- To prepare or contribute to the development of various expenditure/revenue related draft laws and other laws and regulations,
- To monitor and report ministry-related activities of international organizations,
- To analyze and approve operating and investment programs, and to monitor and audit activities of ministry-related organizations in accordance with annual programs,
- To perform duties assigned to the Ministry through various laws, and
- To monitor, appraise, assess, inspect and audit execution of above-mentioned duties.

As we mentioned earlier, the Turkish public finance system has undergone significant reform in recent decades. We discuss the budgetary reform and public finance reform in the following sections.

CHAPTER 2

BUDGET REFORM: PUBLIC FINANCE MANAGEMENT AND CONTROL LAW (No. 5018 of 2003)

The General Accounting Law (Muhasebe-i Umumiye Kanunu) No. 1050 of 1927 establishing long-term enforcement of public finance and management systems was completely replaced by Law No. 5018 (2003) aiming to provide a more efficient, and effective, modern system with international standards.

The legal framework of the new Turkish public finance management and control system has been specified within the Public Finance Management and Control Law No. 5018 of 2003. In accordance with public resources development plans and policies and goals of the programs, the Law reconstructed the Turkish public finance management and control system as follows:

- Effective, economical and efficient acquisition and use of public resources,
- Provision of accountability and financial transparency, and
- Organization and arrangement of public finance management structure and functions; preparation and implementation of government budgets; accounting, reporting and monitoring of all financial operations.

The Public Finance Management and Control Law has brought radical change to the finance system, the most important aspect of which is related to performance. In this regard, the main three goals of the Public Finance Reform can be summarized as follows:

- Fiscal Discipline: public agencies should not exceed upper limits of fund indicators; public agencies should not increase funds after ratification of the budget; unless permitted by the parliament, government cannot add funds within a fiscal year,

- Allocation and use of resources in accordance with strategic priorities,
- Provision of effectiveness and efficiency in delivery of public goods and services.

Due to the relatively recent introduction of the new public finance management and control system via Law No. 5018, and time needed for public administrations to adjust, problems with implementation seem inevitable, and this may delay the realization of expectations.

The main principles of public finance are specified in Article 5 of the Law:

- Public finance management is organized and performed as a harmonious whole,
- Public finance is implemented in such a way as to provide for accountability of employees,
- Fiscal policies are designed and executed in harmony with macroeconomic and social goals,
- Public finance management is executed in accordance with the budget right of the TGNA,
- Public finance management provides fiscal discipline,
- Public finance management provides for conditions for public preferences with the aim of economic, financial and social effectiveness as a whole, and
- When public administrations deliver goods and services, it is necessary to perform cost-benefit or cost-effectiveness analyses in accordance with economic and social principles.

All related laws and regulations being reserved, the rules and procedures related to the implementation of the public finance principles is established and monitored by the Ministry of Finance.

The Law provides for the unity of the Budget. It envisions analysis and legalization of the General Budget by the Parliament. Moreover, the Law envisions control of the budget comprising central government, local government and social security agencies.

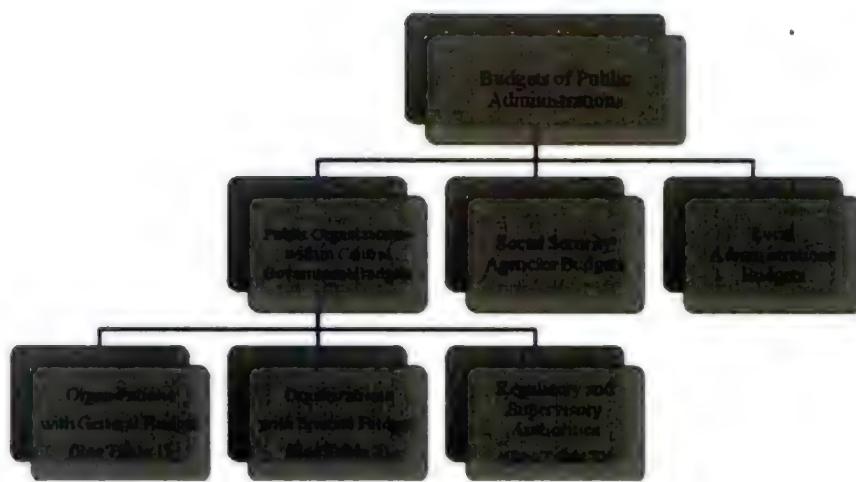


Figure 1: Budgets

The main innovations in the public expenditure and control system introduced by Law No. 5018 are summarized below (DPT 2006; Kesik 2005).

- The shift of public agencies within general administration to Multi-Year Budgeting,
- Preparation of Strategic Plan,
- Implementation of performance based budgeting,
- Execution of internal control and audit within the framework of administrative accountability,
- Shift from cash-based to accrual-based accounting system, and
- Establishment of conditions for independent external audit not only in terms of compliance with the rules, but also in terms of performance assessment.

The Multi-Year Budgeting system was implemented during preparation of the budget for 2006-2008 period. The shift to a medium-term budget system began in 2005, and the General Budget of 2006 was prepared in line with macroeconomic and political priorities, defined principles and fund request limits specified in the Medium-Term Program and Fiscal Plan encompassing 2006-2008.

According to Law No. 5018, public administrations at all levels should prepare strategic plans, mission, vision, goals, and objectives which would provide the

base for organizations' following year budget and activities.¹² However, according to Metropolitan Municipality Law (No. 5216 of 2004), Municipality Law (No. 5393 of 2005) and Special Provincial Administration Law (No. 5302 of 2005), only Metropolitan Municipalities, municipalities with populations more than 50,000, and special provincial administrations are required to prepare strategic plan.

With the aim of cost effective and efficient use of public resources, the Law also envisages a shift to performance-based budgeting. The Law specifies a triple structure for the process of Strategic Planning and Performance Based Budgeting. The structure requires preparation of both medium-term and long-term strategic plans, together with an annual performance plan to measure achievement in terms of the strategic planning. Finally an annual activity report will be written which is effectively an evaluation of performance against plans.

Law No. 5018 also calls for the establishment of an internal control system in line with international standards and practices within the EU. The standards and methods related to financial management, and an internal control system, will be specified by the Ministry of Finance. Accrual-based accounting, instead of cash-based, has been put into practice by administrations included within the Law since January 2006.

The Law also specifies the legal framework of internal control, and the range of control must include not only compliance, but also internal control, risk management and audit of administrative processes. Additionally, the Law includes principles for under-pinning all public activities with strategic planning and multi-year budgeting.

In terms of external audit, the range of the Audit Court has been significantly increased (central government administrations, social security agencies and local administrations are to be audited by the Audit Court), which provided external audit only after expenditure; the right of control prior to expenditure has been cancelled.

In this part of the book, we introduced the Turkish public finance structure and recent developments based on both internal and external conditions, together with public finance, revenue and expenditure. The second chapter focused on the principle law regulating financial structure: Public Finance Management and Control Law Numbered 5018 of 2003. Our main focus in this chapter was, again, the global changes brought about by NPM and its impact on the Turkish public finance system. Rapid economic development in Turkey, and the negotiation process connected to EU membership, might require more changes to the public finance system in the future.

¹² It is very similar to the Government Performance and Results Act (1993) in the United States of America. This law was one of the results of the universal principles of New Public Management reform.

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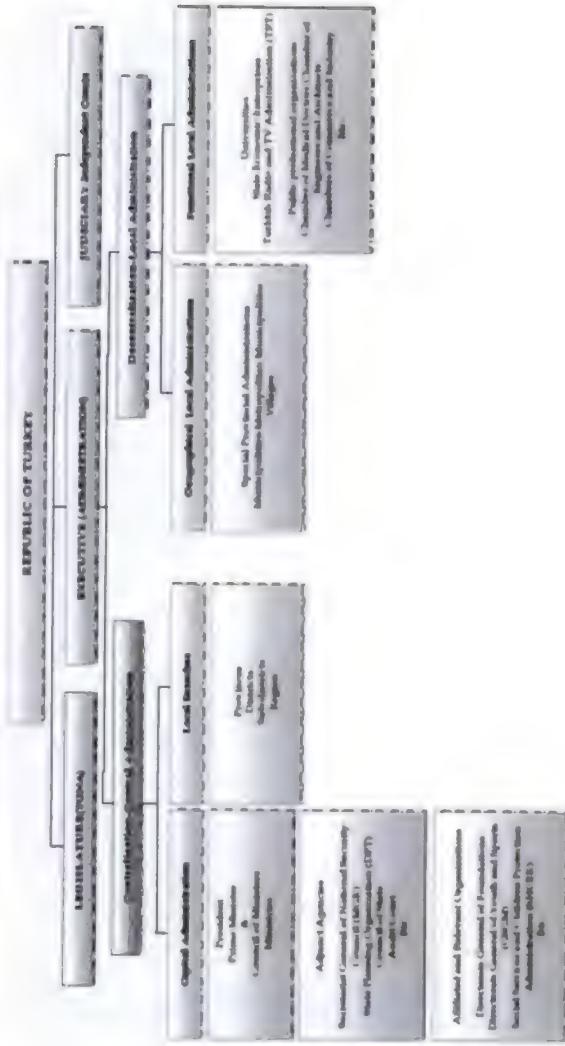
APPENDICES

APPENDIX 1: TURKEY-PROVINCES*



*Source: <http://www.menacam.com/turkiye-haritalari-t34539.html>, December 25, 2007

APPENDIX 2: AN OUTLOOK TOWARD AUTOMATION STRUCTURE



APPENDIX 3:**TURKISH GOVERNMENTS*****CHRONOLOGICAL LIST OF TURKISH GOVERNMENTS****GOVERNMENTS IN TURKISH GRAND NATIONAL ASSEMBLY**

Muvakkat İcra Encümeni	(25 April 1920-3 May 1920)
I. İcra Vekilleri Heyeti	(3 May 1920-24 January 1921)
II. İcra Vekilleri Heyeti	(24 January 1921-19 May 1921)
III. İcra Vekilleri Heyeti	(19 May 1921-9 July 1922)
IV. İcra Vekilleri Heyeti	(12 July 1922-4 August 1923)
V. İcra Vekilleri Heyeti	(14 August 1923-27 October 1923)

GOVERNMENTS IN REPUBLIC OF TURKEY

I. İnönü Government	(30 October 1923-6 March 1924)
II. İnönü Government	(6 March 1924-22 November 1924)
Okyar Government	(22 November 1924-3 March 1925)
III. İnönü Government	(3 March 1925-1 November 1927)
IV. İnönü Government	(1 November 1927-27 September 1930)
V. İnönü Government	(27 September 1930-4 May 1931)
VI. İnönü Government	(4 May 1931-1 March 1935)
VII. İnönü Government	(1 March 1935-1 November 1937)
I. Bayar Government	(1 November 1937-11 November 1938)
II. Bayar Government	(11 November 1938-25 January 1939)
I. Saydam Government	(25 January 1939-3 April 1939)
II. Saydam Government	(3 April 1939-9 July 1942)
I. Saraçoğlu Government	(9 July 1942-9 March 1943)
II. Saraçoğlu Government	(9 March 1943-7 August 1946)
Peker Government	(7 August 1946-10 September 1947)
I. Saka Government	(10 September 1947-10 June 1948)
II. Saka Government	(10 June 1948-16 January 1949)
Günlaltay Government	(16 January 1949-22 May 1950)
II. Menderes Government	(22 May 1950-9 March 1951)
II. Menderes Government	(9 March 1951-17 May 1954)
III. Menderes Government	(17 May 1954-9 December 1955)
IV. Menderes Government	(9 December 1955-25 November 1957)
V. Menderes Government	(25 November 1957-27 May 1960)
I. Gürsel Government	(30 May 1960-5 January 1961)

II. Gürsel Government	(5 January 1961-20 November 1961)
VIII. İnönü Government	(20 November 1961-25 June 1962)
IX. İnönü Government	(25 June 1962-25 December 1963)
X. İnönü Government	(25 December 1963-20 February 1965)
Ürgüplü Government	(20 February 1965-27 October 1965)
I. Demirel Government	(27 October 1965-3 November 1969)
II. Demirel Government	(3 November 1969-6 March 1970)
III. Demirel Government	(6 March 1970-26 March 1971)
I. Erim Government	(26 March 1971-11 December 1971)
II. Erim Government	(11 December 1971-22 May 1972)
Melen Government	(22 May 1972-15 April 1973)
Talu Government	(15 April 1973-26 January 1974)
I. Ecevit Government	(26 January 1974-17 November 1974)
Irmak Government	(17 November 1974-31 March 1975)
IV. Demirel Government	(31 March 1975-21 June 1977)
II. Ecevit Government	(21 June 1977-21 July 1977)
V. Demirel Government	(21 July 1977-5 January 1978)
III. Ecevit Government	(5 January 1978-12 November 1979)
VI. Demirel Government	(12 November 1979-12 September 1980)
Ulusu Government	(20 September 1980-13 December 1983)
I. Özal Government	(13 December 1983-21 December 1987)
II. Özal Government	(21 December 1987-9 November 1989)
Akbulut Government	(9 November 1989-23 June 1991)
Yılmaz Government	(23 June 1991-20 November 1991)
VII. Demirel Government	(20 November 1991-25 June 1993)
Çiller Government	(25 June 1993-15 October 1995)
Çiller Government	(15 October 1995-5 November 1995)
Çiller Government	(5 November 1995-12 March 1996)
Yılmaz Government	(12 March 1996-08 July 1996)
Erbakan Government	(08 July 1996 - 30 June 1997)
Yılmaz Government	(30 June 1997 -11 January 1999)
Ecevit Government	(11 January 1999-28 May 1999)
Ecevit Government	(28 May 1999-18 Nov 2002)
Gül Government	(18 Nov 2002-11 March 2003)
Erdoğan Government	(14 March 2003 - 5 September 2007)
Erdoğan Government	(5 September 2007 - ...)

*Source: The Ministry of Foreign Affairs,
<http://www.mfa.gov.tr/MFA/DiplomaticArchives/ListOfTurkishGovernments/>, 25 December 2007

APPENDIX 4:

CHRONOLOGY OF TURKEY - EU RELATIONS

CHRONOLOGY OF TURKEY - EU RELATIONS*	
1959	September 1959: The EEC Council of Ministers accepted Ankara's and Athens' applications for associate membership.
1963	September 1963: The Ankara Agreement (an Association Agreement) was signed to take Turkey to Customs Union and finally to full EEC membership. The first financial protocol was also signed.
1968	December 1968: Negotiations on the Additional Protocol started
1970	October 26, 1970: First Customs Cooperation Committee meeting. November 23, 1970: The Additional Protocol and the second financial protocol signed in Brussels.
1971	July 1971: The Additional Protocol was approved in the Turkish Grand National Assembly with 149 votes for and 69 against.
1973	January 1973: The Additional Protocol went into force. A step to lowering customs duties and harmonization of the consolidated liberation list started.
1980	During the first half of the 1980's relations between Turkey and the Community stagnated. There was a long suspension period following the military coup d'etat on 12 September 1980. June 1980: The Association Council decided to decrease customs duties on almost all agricultural products to "zero" by 1987.
1982	January 1982: The European Parliament decided not to renew the European wing of the Joint Parliamentary Commission until a general election was held and a parliament established.
1986	September 1986: Turkey-EEC Association Council met.
1987	April 14, 1987: Turkey applied for full EEC membership. Ali Bozer submitted the application to Brussels.
1992	May 1992: The first Steering Committee meeting was held.
1993	March 18, 1993: At a meeting in Brussels, the procedures for the work and duties of the Steering Committee set-up to prepare Turkey for Customs Union, were determined. October 1993: The Turkey-EU Association Council met and decided that the technical preparations had been completed and Turkey had fulfilled the greater part of its obligations.
1995	March 1995: Turkey-EU Association Council decision on the customs union
1999	December 1999: EU Helsinki Council decision of December 1999 on the candidate status of Turkey

2000	<p>December 2000: The EU Council of Ministers decision on the draft framework regulation on assistance to Turkey in the framework of the pre-accession strategy</p>
2001	<p>January 2001: The Council of the European Union accepted a donation of 130 million € which will be given to Turkey between the years of 2001 and 2003.</p> <p>February 2001: The framework code which constitutes the base of the procedures related to Accession Partnership and the base of the donation that Turkey will receive from the Accession Partnership was accepted.</p> <p>March 2001: The Council of Ministers of the European Union accepted the Accession Partnership Document, for Turkey.</p> <p>March 2001: Turkish Parliament accepted the Turkish National Programme for the Adoption of the Acquis.</p> <p>June 2001: The 40th period meeting of the Turkey-European Union Partnership Council was occurred.</p> <p>June 2001: The 47th meeting of the commission of the Turkey-European Union Joint Parliament Committee was occurred in Brussels.</p> <p>July 2001: The sub-committee meeting of the Turkey-European Union Customs, Taxation, Drugs and Money Laundering was occurred in Ankara.</p> <p>September 2001: The EU Parliament accepted the rapport related to Cyprus prepared by Jacque Paas. In this report, the responsible actor for the failure of finding solution was displayed as Turkey and it was declared that the membership of Cyprus would occur even if a solution could not be found.</p> <p>November 2001: The 4th Progress report was published.</p> <p>November 2001: The 48th meeting of the Turkey-EU Joint Parliament Commission was made in Istanbul.</p> <p>December 2001: The European Council was met in Leaken of Belgium. At the end of the summit, it was declared that Turkey had approached to the participation negotiations and Turkey would participate in the convention studies related to the future of the European Union.</p>

2002	<p>January 2002: The Euro (€) became the joint currency of the European Union.</p> <p>January 2002: The 10th meeting of Turkey-EU Troika was occurred in Madrid.</p> <p>January 2002: The 110th Turkey-EU Association Committee meeting was occurred in Brussels.</p> <p>February 2002: The visit to Turkey of Günter Verheugen who is responsible of enlargement of the Commission of the European Union was occurred.</p> <p>February 2002: The Memorandum of Understanding on the management of the financial aid of the EU was signed between the Commission of the EU and the Turkish Government. The structure, functioning and responsibilities of the National Fund and Central Finance and Contracts Unit were determined.</p> <p>February 2002: The first Reform Package (Turkish Penalty Code, struggle against terror, changes on State Security Court) came into force in order to provide cohesion to the Copenhagen Political Criteria.</p> <p>March 2002: The Organization of the Twelve Mediterranean Countries of private sector signed the decision of establishment of Union Mediterranean Confederation of Enterprises during the 5th summit of the European-Mediterranean Private Sector, in Istanbul.</p> <p>March 2002: Turkey participated in the session of the summit of Spring in Barcelona which included the titles of the liberalization of markets of energy and finance, the rise of employment, the creation of flexible labor force market, the connection of transportation networks in the Europe, the problems of economy and external affairs as in the Middle East, with the other candidate countries.</p> <p>March 2002: The joint meeting of the ministers of agriculture was occurred among the member and candidate countries of the EU.</p> <p>March 2002: The second European-Mediterranean Trade Conference was met in Toledo.</p> <p>March 2002: The Convention concerning the future of the EU made its second meeting.</p>
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	<p>April 2002: The second Turkey-EU Association Council was met in Luxemburg.</p> <p>April 2002: The 5th meeting of the European-Mediterranean Process was made in Valencia.</p> <p>May 2002: The Convention concerning the future of the EU made its third meeting.</p> <p>June 2002: The meeting on the EU with the presidency of Sezer and with the participation of the presidents of the political parties having group in the Turkish Parliament was made in the House of Çankaya.</p> <p>June 2002: The 49th meeting of the Turkey-EU Joint Parliament Commission was made in Brussels.</p> <p>June 2002: In the summit of Sevilla, the presidents of governments and states emphasized that the reforms Turkey had realized was satisfying. The leaders reminded that the reforms in force would strengthen the Turkey's perspective of membership.</p> <p>June 2002: The framework agreement on the determination of the general principles of the participation to the Community programmes signed between Turkey and the EU came into power after published in the official journal of the 28th June 2002.</p> <p>July 2002: Denmark became the presidency of the EU.</p> <p>July 2002: An agreement of credit of 40 million € for the municipal water and canalization infrastructure programme was signed between the Turkish Treasury and the European Investment Bank.</p> <p>July 2002: The 13rd meeting of the Turkey-EU Joint Consultative Committee was made in Erzurum.</p> <p>July 2002: The 6th Reform Package for the cohesion to the Copenhagen Political Criteria.</p> <p>August 2002: The third Reform Package came into force.</p> <p>August 2002: The third Reform Package concerning the abolition of death penalty, the authorization of broadcast of different native languages and dialects including Kurdish, the right to education in own native language, the right of having immovable for the clubs of minority, the right of saving over their own immovable came into force.</p>
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	<p>September 2002: Turkey was included to the Eurocorps.</p> <p>October 2002: The European Council published a Progress Report concerning the 13 candidates. Some suggestions were given to the candidates and the commission declared that the constitutional reforms made by Turkey were successful steps towards the transposition with the European Union.</p> <p>December 2002: At the end of the summit of Copenhagen European Council, the decision for the membership of the 10 candidate countries was given. In the part of the Solution Declaration concerning Turkey, it was said that the negotiation process of Turkey would begin in order to fulfill the Copenhagen Political Criteria until the summit of December 2004.</p>
2003	<p>January 2003: The presidency of Greece began.</p> <p>January 2003: The 4th and 5th Reform Packages came into force.</p> <p>January 2003: The EU Troika visited Turkey.</p> <p>February 2003: The Treaty of Nice which allowed the biggest enlargement and regulated necessary institutional structuring came into force.</p> <p>March 2003: The 111st meeting of the Turkey-EC Association Committee was occurred in Brussels</p> <p>April 2003: Two agreements of credit of 350 million € was signed between the Turkish Republic and the European Investigation Bank.</p> <p>April 2003: The 15th meeting of the EU-Turkey Joint Consultative Committee was occurred in Istanbul.</p> <p>April 2003: The 42nd meeting of the Turkey-EU Association Council was made in Luxemburg. During the meeting, the side of the EU presented to Turkey the Accession Partnership Document.</p> <p>April 2003: A new European Union Commission was established in the Turkish Parliament in order to negotiate and observe the cohesion of the new rules to the EU legislation.</p>

May 2003: In the meeting of the European Parliament External Relations Committee, the outline report prepared by the Dutch Parliamentarian Arie Oostlander was accepted after made important changes on.

May 2003: The Council of the EU took decision about the revised Accession Partnership for Turkey.

June 2003: The 50th meeting of the EU-Turkey Joint Parliament Commission took place in Istanbul.

June 2003: The 49th meeting of the EU-Turkey Joint Parliament Commission took place in Brussels.

June 2003: The 50th meeting of the EU-Turkey Joint Parliament Commission took place in Istanbul.

July 2003: The summit of the European Council was made in Tessaloniki. The candidate countries participated in as an observer. Turkey was represented by the Prime Minister, Recep Tayip Erdogan, and the Minister of Foreign Affairs, Abdullah Gul.

July 2003: The 6th Reform Package came into force according to the Copenhagen Criteria.

July 2003: The National Programme for the Adoption of the Acquis by the light of the updated 2003 Accession Partnership Document came into force.

August 2003: The 7th Reform Package came into force according to the Copenhagen Criteria.

August 2003: The Third Pre-Accession Economy Programme concerning the years of 2003 -2006 prepared by Turkey was presented to the European Commission.

October 2003: The non-Central Financial Structuring was accepted and Turkey had the right to conduct the EU Financial Aids.

October 2003: The 14th meeting of the Association Committee of the Custom Union was made in Brussels.

November 2003: The European Commission published the Turkey's 2003 Progress Report and the Strategy Report.

	<p>December 2003: The 51th meeting of the EU-Turkey Joint Parliament Commission took place in Brussels.</p> <p>December 2003: The EU summit took place in Brussels. The Council declared that Turkey had made progress to begin to the membership negotiations.</p> <p>December 2003: The meeting of Joint Monitoring Committee in which the projects financed within the framework of financial cooperation between Turkey and the EU were discussed, took place in the Secretariat General for the EU Affairs. In the results of the Turkey's first meeting as a candidate, the Turkish progress in using financial aids was perceived.</p> <p>December 2003: The Preliminary Development Plan (2004-2006) conducted by the State Planning Organization was accepted.</p>
2004	<p>January 2004: The 13th protocol of the European Human Rights Convention which makes obligatory the abolition of the Death Penalty was signed by Turkey in Strasbourg.</p> <p>February 2004: Turkey-Greece Cross-Border Cooperation Programme was affirmed within the context of Interreg III/A.</p> <p>February 2004: The two sides according on debating within the framework of the Annan Plan began to the negotiations in Cyprus.</p> <p>March 2004: The strategic framework of the Turkey-Bulgaria Cross-Border Cooperation Programme was completed.</p> <p>April 2004: The Arie Oostlander's report concerning Turkey was accepted in the European Parliament.</p> <p>April 2004: The Memorandum of Understanding on Turkey's participation to the EU Education and Youth Programmes was signed between Turkey and the European Commission.</p> <p>April 2004: The referendum was completed in Cyprus. The 69,4 % of Turkish people in Cyprus accepted but the 75,83 % of Greek people in Cyprus refused the Annan Plan.</p> <p>April 2004: The Cyprus Regulation was accepted by the Council of the European Union. With the regulation, some measures about the current situation and especially about the circulation of goods was adopted after the failure of the referendum.</p>

	<p>April 2004: The 52nd meeting of the Joint Parliament Commission was occurred in Izmir.</p> <p>May 2004: The Constitutional Reform Package was accepted in the Turkish Parliament.</p> <p>June 2004: The Parliamentary Assembly of the Council of Europe finished its audit process.</p> <p>July 2004: The Netherlands became the presidency of the EU.</p> <p>July 2004: The European Commission announced extensive proposals to bring the Turkish Cypriot Turkish Community's isolation.</p> <p>October 2004: The European Commission published the 2004 Progress Report and the Recommendation Document according to the progress report. Within the framework of this document, Turkey was said to have fulfilled the political criteria in required measure and was recommended to begin to the negotiations.</p> <p>November 2004: Joint Parliamentary Committee Delegation's participated in the 18th meeting of Turkey-EU Joint Consultative Committee.</p> <p>December 2004: The Report for Turkey prepared by the MEP Camiel Eurling was accepted in the meeting of the European Parliament which took place in Strasbourg. The resolution was adopted by 407 votes in favor, 262 against and 29 abstentions.</p> <p>December 2004: In the summit meeting made by the European Council in Brussels, the resolution was saying that Turkey had made impressive progress in respecting the political criteria, enough for negotiations on EU membership to start on the 3rd October 2004.</p>
2005	<p>January 2005: Luxemburg became the presidency of the EU.</p> <p>March 2005: The EU-Turkey Troika Meeting was made in Ankara. In the meeting, the relations between the EU and Turkey and the cohesion to the political criteria as a priority subject were reviewed.</p> <p>June 2005: With the New Turkish Penalty Code which brought fundamental chances, a new important progress according to the cohesion was made.</p>

June 2005: The Ministers of Foreign Affairs of the EU meeting in Luxemburg signed the protocol expanding the Treaty of Ankara concerning the Greek Cyprus.

June 2005: The heads of governments and states of the EU emphasized on the full application of the decisions referring the decisions of the priority summit and there were no direct statement about Turkey in the final report.

June 2005: The European Commission presented the Accession Negotiations Framework. In the framework, a list including the principles regulating negotiations, the content of negotiations, negotiation procedures, and negotiation headings took place.

July 2005: The UK became the presidency of the EU.

July 2005: The Council of Foreign Ministers of the EU was met in Brussels. The member of commission, Olli Rehn, who is responsible for the enlargement, presented the recommendation of Commission which draws the framework related to the Turkey's membership negotiations, to the Council. However, the discussion of the framework postponed to the unofficial meeting of the General Affairs and External Relations Council which would take place on the 1st and 2nd September as Turkey had not signed yet the protocol which would extend the Additional Protocol with a new ten members.

July 2005: Turkey signed the supplementary protocol which extended the Treaty of Ankara, which was signed in 1963 and which constitutes the base of the EU-Turkey relations, concerning the new ten members. Turkey declared that the usage of the concept of "Republic of Cyprus" did not express the recognition of the Greek Part of Cyprus.

September 2005: The EU's declaration said that Turkey must recognize Cyprus in the course of its membership talks, must give access to its ports and airports to Cypriot ships and planes, must apply the protocol fully to all member states. Also the EU warned that if it fails to do so, its progress in the accession talks may stall.

October 2005: Shortly after the EU Accession Negotiations have been launched, Screening Process which is expected to be finalized within a year's time is started with a meeting on the 25th Chapter named "Science and Research" on 20 October 2005.

October 2005: Explanatory Screening Meeting on the 26th Chapter named "Education and Culture" was held in Brussels on 26 October 2005.

October 2005: Explanatory Screening Meeting on the 5th Chapter named "Public Procurement" was held in Brussels on 7 November 2005.

October 2005: The Council approved a framework for negotiations with Turkey on its accession to the EU, as mandated by the European Council last December, thus enabling the negotiations to begin immediately after the meeting.

October 2005: Nikolaus van der Pas, Director General of the Directorate General for "Education and Culture" and His Excellency, Oguz Demirralp, Turkish Ambassador to the European Union, signed a Memorandum of Understanding on Turkey's participation in the Culture 2000 programme from 2006 onwards on 25 October 2005.

November 2005: Explanatory Screening Meeting on the 5th Chapter named "Public Procurement" was held in Brussels on 7 November 2005.

November 2005: Explanatory Screening Meeting on the 8th Chapter named "Competition Policy" was held in Brussels on 8-9 November 2005.

November 2005: Detailed Screening Meeting on the 25th Chapter named "Science and Research" was held on 14 November 2005 in Brussels.

November 2005: Detailed Screening Meeting on the 26th Chapter named "Education and Culture" was held on 16 November 2005 in Brussels.

November 2005: Explanatory Screening Meeting on 3th Chapter named "Right of Establishment and Freedom to Provide Services" was held on 21-22 November 2005 in Brussels.

November 2005: Explanatory Screening Meeting on 4th Chapter named "Free Movement of Capital" was held on 25 November 2005 in Brussels.

	<p>November 2005: Detailed Screening Meeting on the 5th Chapter named "Public Procurement" was held on 28 November 2005 in Brussels.</p> <p>December 2005: Detailed Screening Meeting on the 8th Chapter named "Competition Policy" was held on 01-02 December 2005 in Brussels.</p> <p>December 2005: Explanatory Screening Meeting on 11th Chapter named "Agriculture and Rural Development" was held on 05-08 December 2005 in Brussels.</p> <p>December 2005: Detailed Screening Meeting on the 3th Chapter named "Right of Establishment and Freedom to Provide Services" was held on 19-20 December 2005 in Brussels.</p> <p>December 2005: Detailed Screening Meeting on the 4th Chapter named "Free Movement of Capital" was held on 22 December 2005 in Brussels.</p> <p>December 2005: DG Enlargement of the European Commission published the 2005 Regular Report for Turkey.</p> <p>December 2005: Proposal for a Council Decision on the principles, priorities and conditions contained in the Accession Partnership with Turkey is issued by European Commission.</p> <p>December 2005: EU Accession Seminars held in Ankara on 12 December 2005 and in Istanbul on 14 December 2005 by Delegation of the European Commission to Turkey.</p>
2006	<p>January 2006: Austria holds the Presidency of the EU for the first half of the year 2006.</p> <p>January 2006: Explanatory Screening Meeting on 1st Chapter named "Free Movement of Goods" was held on 16-20 January 2006 in Brussels.</p> <p>January 2006: The Council of the European Union adopted a Decision on the principles, priorities and conditions contained in the accession partnership with Turkey on 17 January 2006 with No.15671/05.</p> <p>January 2006: Explanatory Screening Meeting on 24th Chapter named "Justice, Freedom and Security" was held on 23-25 January 2006 in Brussels.</p>

	<p>January 2006: Detailed Screening Meeting on the 11th Chapter named "Agriculture and Rural Development" was held on 23-26 January 2006 in Brussels.</p> <p>December 2006: EU member states freeze eight negotiating chapters because Turkey refuses to open its harbors and ports to Greek Cypriot craft.</p>
2007	<p>January 2007: The EU commits to resuming "without delay" talks on ending the economic isolation of northern Cyprus.</p> <p>March 2007: The EU and Turkey begin talks on "enterprise and industry policy", the second chapter Ankara has opened.</p> <p>July 2007: Portugal takes over the Presidency of the Council of the European Union.</p> <p>November 2007: Turkey 2007 Progress Report.</p> <p>December 2007: The Presidency reiterates the importance of reinforcing the dialogue and cooperation between the Governments of Turkey and Iraq in order to ensure that the Iraqi territory is not used for any terrorist actions against Turkey.</p> <p>December 2007: The Treaty signed by the Heads of State or Government of the 27 Member States in Lisbon on 13 December 2007. The treaty will not apply until and unless it is ratified by each of the EU's 27 members. It is up to each country to choose the procedure for ratification, in line with its own national constitution. The target date for ratification set by member governments is 1 January 2009 -some months before the elections to the European Parliament. This treaty gives the EU the constitutional form of a state.</p>

***Source:** Secretariat General for EU Affairs,
<http://www.abgs.gov.tr/index.php?p=112&l=2>, 25 December 2007; Turkey's long and difficult march toward EU membership, EU Business 29 March 2007,
http://www.eubusiness.com/news_live/1175173218.87/, 25 December 2007; EU Presidency Statement on the military actions undertaken by Turkey on Iraqi territory,
http://www.eu2007.pt/ue/ven/noticias_documentos/declaracoes_pesc/20071217iraque.htm, 25 December 2007; Treaty of Lisbon,
http://europa.eu/lisbon_treaty/take/index_en.htm, 25 December 2007.

APPENDIX 5:**CURRENT SITUATION IN ACCESSION NEGOTIATIONS**

Opened and Provisionally Closed 25) Science and Research
Opened: 18) Statistics 20) Enterprise and Industrial Policy 21) Trans-European Networks 28) Consumer and Health Protection 32) Financial Control
Screening Reports Approved at the Council of the European Union And Negotiations are to be Opened 17) Economic and Monetary Policy 26) Education and Culture
Screening Reports Approved at the Council of the European Union with Benchmarks 1) Free Movement of Goods 3) Right of Establishment and Freedom to Provide Services 4) Free Movement of Capital 5) Public Procurement 6) Company Law 7) Intellectual Property Law 8) Competition Policy 9) Financial Services 11) Agriculture and Rural Development 12) Food Safety, Veterinary and Phytosanitary Policy 16) Taxation 19) Social Policy and Employment 27) Environment 29) Customs Union
Draft Screening Reports are to be Approved at the Council of the European Union 10) Information Society and Media 14) Transport Policy 15) Energy 22) Regional Policy and Coordination of Structural Instruments 23) Judiciary and Fundamental Rights 24) Justice, Freedom and Security
Data Parts of Draft Screening Reports have been Consulted with Turkey 13) Fisheries 33) Financial and Budgetary Provisions

Screening Reports have not been drafted yet
2) Freedom of Movement of Workers
30) External Relations
31) Foreign, Security and Defense Policy

*Source: Secretariat General for EU Affairs,
<http://www.abgs.gov.tr/index.php?p=65&l=2>, 25 December 2007

State Universities		Public Administration Departments	Bach elors BA	Graduates		Web Addresses
MA	PhD					
1	Istanbul University ISTANBUL	Faculty of Political Science Department of Public Administration	Av.	Av.	Av.	www.istanbul.edu.tr/siyasal/kygenbil.htm
2	Istanbul Technical University ISTANBUL	Na.	Na.	Na.	Na.	www.itu.edu.tr
3	Ankara University ANKARA	Faculty of Political Science Department of Political Science and Public Administration	Av.	Av.	Av.	www.politics.ankara.edu.tr/bolum.php?bolum=5
4	Karadeniz Technical University TRABZON	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://iibf.ktu.edu.tr/bolumler/kamu
5	Ege University IZMIR	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.ege.edu.tr
6	Atatürk University ERZURUM	Faculty of Economics and Administrative Sciences Department of Public Administration	Na.	Na.	Na.	http://iibf.atauni.edu.tr
7	Middle East Technical University ANKARA	Faculty of Economics and Administrative Sciences Department of Political Science and Public Administration	Av.	Av.	Av.	www.padm.metu.edu.tr
8	Hacettepe University ANKARA	Faculty of Economics and Administrative Sciences	Av.	Av.	Av.	www.kamu.hacettepe.edu.tr

		Department of Political Science and Public Administration				
9	Bogaziçi University İSTANBUL	Faculty of Economics and Administrative Sciences Department of Political Science and Public Administration	Av.	Av.	Av.	www.pols.boun.edu.tr
10	Dicle University DIYARBAKIR	Na.	Na.	Na.	Na.	www.dicle.edu.tr
11	Çukurova University ADANA	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.cu.edu.tr
12	Anadolu University ESKISEHIR	Open Education Faculty Department of Public Administration	Av.	Na.	Na.	www.anadolu.edu.tr
13	Cumhuriyet University SIVAS	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Av.	http://iibf.cumhuriyet.edu.tr
14	İnönü University MALATYA	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Av.	http://www.inonu.edu.tr/fakulte/iibf/kamu
15	Fırat University ELAZIG	Na.	Na.	Na.	Na.	www.firat.edu.tr
16	Ondokuz Mayis University SAMSUN	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.omu.edu.tr
17	Selçuk University KONYA	Faculty of Economics and Administrative Sciences Department of	Av.	Av.	Na.	www.iibf.selcuk.edu.tr/?page=about&mode=2

		Public Administration				
18	Uludag University BURSA	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Av.	http://iibf.uludag.edu.tr
19	Erciyes University KAYSERI	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.erciyes.edu.tr
20	Akdeniz University ANTALYA	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Av.	http://www.akdeniz.edu.tr/iibf/yeni/kamu/index.html
21	Dokuz Eylul University IZMIR	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Av.	www.iibf.deu.edu.tr/goster.php?idm=11&ust=8
22	Gazi University ANKARA	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Av.	http://bolumler.iibf.gazi.edu.tr/?30
23	Marmara University ISTANBUL	Faculty of Economics and Administrative Sciences Public Administration (in French)	Av.	Av.	Av.	http://iibf.marmara.edu.tr/francais/
24	Mimar Sinan Fine Arts University ISTANBUL	Na.	Na.	Na.	Na.	www.msgsu.edu.tr
25	Trakya University EDIRNE	Faculty of Economics and Administrative Sciences Department of Public	Av.	Av.	Na.	http://iibf.trakya.edu.tr/

		Administration				
26	Yıldız Technical University İSTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	http://www.sbu.yildiz.edu.tr/
27	Yüzüncü Yıl University VAN	Faculty of Economics and Administrative Sciences Department of Public Administration	Na	Av.	Na.	www.yyu.edu.tr
28	Gaziantep University GAZIANTEP	Faculty of Economics and Administrative Sciences	Na	Na.	Na.	www.gantep.edu.tr
29	Abant İzzet Baykal University BOLU	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://www.iibf.ibu.edu.tr/bolumler/kamuyonetimi.html
30	Adnan Menderes University AYDIN	Nazilli Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://www.akademik.adu.edu.tr/fakulte/nazilliibf/topics.asp?path=313238
31	Afyon Kocatepe University AFYONKAR AHİSAR	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	
32	Balıkesir University BALIKESİR	Bandırma Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://bandirma.balikesir.edu.tr/
33	Celal Bayar University MANİSA	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.bayar.edu.tr
34	Çanakkale Onsekiz Mart University CANAKKALE	Biga Faculty of Economics and Administrative Sciences Department of Public	Av.	Av.	Na.	http://biibf.comu.edu.tr/v2/kamu.htm

		Administration				
35	Dumlupınar University KUTAHYA	Kütahya Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://www.dumlupinar.edu.tr/tr/akademik/fakulte/fk11/b13/index.htm
36	Gaziosmanpaşa University TOKAT	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://iibf.gop.edu.tr/bolumler/kamu/kamu.bolumu.htm
37	Gebze Institute of Technology KOCAELİ	Na.	Na.	Na.	Na.	www.gyte.edu.tr
38	Harran University SANLIURFA	Faculty of Economics and Administrative Sciences Department of Public Administration	Na.	Na.	Na.	www.harran.edu.tr
39	Izmir Institute of Technology IZMIR	Na.	Na.	Na.	Na.	www.itye.edu.tr
40	Kafkas University KARS	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Na.	Na.	www.kafkas.edu.tr/#
41	Kahramanmaraş Sütçü İmam University KAHRAMAN MARAS	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://www.ksu.edu.tr/index.php?afile=bolum&menu=3&birim=IIBF&bolum=KY&op=1
42	Kırıkkale University KIRIKKALE	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://www.kku.edu.tr/~iibf/
43	Kocaeli University	Faculty of Economics and	Av.	Av.	Na.	http://iibf.kou.edu.tr/siyaset_kamu/anasayfa.asp

	KOCAELİ	Administrative Sciences Department of Political Science and Public Administration				
44	Mersin University MERSIN	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://www.mersin.edu.tr/bolumler.php?fid=5&id=33
45	Muğla University MUGLA	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://www.mu.edu.tr/t/akademik/fakulteler/iibf/
46	Mustafa Kemal University HATAY	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://194.27.44.4/genel/fakulte/iibf/bolumler.htm
47	Nigde University NIGDE	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://iibf.nigde.edu.tr/index.php?option=com_frontpage&Item=1
48	Pamukkale University DENIZLI	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://kamuyonetimi.pamukkale.edu.tr/
49	Sakarya University SAKARYA	Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Av.	Av.	http://www.kamu.sakarya.edu.tr/
50	Süleyman Demirel University	Faculty of Economics and Administrative	Av.	Av.	Av.	http://iibf.sdu.edu.tr/index.php?dosya=bolumler/kamu_yonetimi&tur=02

	ISPARTA	Sciences Department of Public Administration				
51	Zonguldak Karaelmas University ZONGULDAK	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.karaelmas.edu.tr
52	Eskişehir Osmangazi University ESKISEHIR	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.ogu.edu.tr
53	Galatasaray University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.gsu.edu.tr/tr
54	Ahi Evran University KIRSEHIR		Na.	Na.	Na.	www.ahievran.edu.tr
55	Kastamonu University KASTAMONU		Na.	Na.	Na.	www.kastamonu.edu.tr
56	Düzce University DUZCE		Na.	Na.	Na.	www.duzce.edu.tr
57	Mehmet Akif Ersoy University BURDUR		Na.	Na.	Na.	www.mehmetakif.edu.tr
58	Uşak University USAK	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	http://www.usak.edu.tr/akademik.html
59	Rize University RIZE		Na.	Na.	Na.	www.rize.edu.tr
60	Namık Kemal University TEKIRDAG		Na.	Na.	Na.	www.nku.edu.tr
61	Erzincan University ERZINCAN		Na.	Na.	Na.	www.erzincan.edu.tr
62	Aksaray University AKSARAY		Na.	Na.	Na.	www.aksaray.edu.tr
63	Giresun University GIRESUN	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.giresun.edu.tr
64	Hitit University CORUM	Faculty of Economics and Administrative	Av.	Na.	Na.	www.hitit.edu.tr

		Sciences Department of Public Administration				
65	Bozok University YOZGAT	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.bozok.edu.tr
66	Adiyaman University ADIYAMAN	Na.	Na.	Na.	Na.	www.adiyaman.edu.tr
67	Ordu University ORDU	Unye Faculty of Economics and Administrative Sciences Department of Public Administration	Na.	Na.	Na.	www.odu.edu.tr
68	Amasya University AMASYA	Na.	Na.	Na.	Na.	amasya.edu.tr
69	Karamanoğlu Mehmetbey University KARAMAN	Karaman Faculty of Economics and Administrative Sciences Department of Public Administration	Av.	Na.	Na.	http://www.kiibf.selcuk.edu.tr/
70	Agri Dağı University AGRI	Na.	Na.	Na.	Na.	Na.
71	Sinop University SINOP	Boyabat Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	Na.
72	Siirt University SIIRT	Na.	Na.	Na.	Na.	www.siirt.edu.tr
73	Nevşehir University NEVSEHIR	Faculty of Economic and Administrative Sciences	Na.	Na.	Na.	www.nevsehir.edu.tr
74	Karabük University KARABUK	Na.	Na.	Na.	Na.	www.karabuk.edu.tr
75	Kilis 7 Aralık University KILIS	Na.	Na.	Na.	Na.	Na.
76	Çankırı Karatekin University CANKIRI	Faculty of Economic and Administrative Sciences	Na.	Na.	Na.	Na.

77	Artvin Çoruh University ARTVIN	Na.	Na.	Na.	Na.	www.artvin.edu.tr
78	Bilecik University BILECIK	Faculty of Economic and Administrative Sciences Department of Public Administration	Av.	Av.	Na.	http://www.anadolu.edu.tr/bilecik/akademik/ibf/kamuyonetimi.html
79	Bitlis Eren University BITLIS	Na.	Na.	Na.	Na.	Na.
80	Kırklareli University KIRKLARELI	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	http://kirkclareli.trakya.edu.tr/
81	Osmaniye Korkut Ata University OSMANIYE	Na.	Na.	Na.	Na.	Na.
82	Bingöl University BINGOL	Na.	Na.	Na.	Na.	Na.
83	Muş Alparslan University MUS	Na.	Na.	Na.	Na.	Na.
84	Mardin Artuklu University MARDIN	Na.	Na.	Na.	Na.	Na.
85	Batman University BATMAN	Na.	Na.	Na.	Na.	Na.

PRIVATE UNIVERSITIES

86	Acibadem University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	Na.
87	Atilim University ISTANBUL	Na.	Na.	Na.	Na.	www.atilim.edu.tr
88	Bahçeşehir University ISTANBUL	Na.	Na.	Na.	Na.	www.bahcesehir.edu.tr
89	Başkent University	Faculty of Economics and	Na.	Na.	Na.	www.baskent.edu.tr

	ANKARA	Administrative Sciences				
90	Beykent University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.beykent.edu.tr
91	Bilkent University ANKARA	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.bilkent.edu.tr
92	Çağ University MERSIN	Faculty of Economic and Administrative Sciences	Na.	Na.	Na.	www.cag.edu.tr
93	Çankaya University ANKARA	Faculty of Economic and Administrative Sciences	Na.	Na.	Na.	www.cankaya.edu.tr
94	Doğuş University ISTANBUL	Faculty of Economic and Administrative Sciences	Na.	Na.	Na.	www.dogus.edu.t
95	Haliç University ISTANBUL	Na.	Na.	Na.	Na.	www.halic.edu.tr
96	Fatih University ISTANBUL	Faculty of Economic and Administrative Sciences Department of Public Administration (in English and Turkish)	Av.	Av.	Na.	http://public.fatih.edu.tr
97	İşık University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.isikun.edu.tr
98	Istanbul Arel University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.iau.edu.tr
99	Istanbul Aydin University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.anadolubil.edu.tr
100	Istanbul Bilgi University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.ibun.edu.tr

101	İstanbul Bilim University ISTANBUL	Na.	Na.	Na.	Na.	www.istanbulbilim.edu.tr
102	İstanbul Kültür University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.iku.edu.tr
103	İstanbul Commerce University ISTANBUL	Na.	Na.	Na.	Na.	www.iticu.edu.tr
104	Izmir Economics University IZMIR	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.izmirekonomi.edu.tr
105	Izmir University IZMIR	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	Na.
106	Kadir Has University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.khas.edu.tr
107	Koç University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.ku.edu.tr
108	Maltepe University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.maltepe.edu.tr
109	Okan University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	www.okan.edu.tr
110	Özyegin University ISTANBUL	Faculty of Economics and Administrative Sciences	Na.	Na.	Na.	Na.
111	Sabancı University	Na.	Na.	Na.	Na.	www.sabanciuniv.edu.tr
112	TOBB Economics and Technology University ANKARA	Faculty of Economic and Administrative Sciences	Na.	Na.	Na.	www.etu.edu.tr
113	Ufuk	Faculty of	Na.	Na.	Na.	www.ufuk.edu.tr

	University ANKARA	Economic and Administrative Sciences					
114	Yaşar University IZMIR	Faculty of Economic and Administrative Sciences	Na.	Na.	Na.		www.yasar.edu.tr
115	Yeditepe University ISTANBUL	Faculty of Economic and Administrative Sciences Department of Public Administration	Av.	Av.	Av.		www.yeditepe.edu.tr

As of 31 December 2007.

(Av.) Available.

(Na) Not available.

“Enderun,” is the first school of public administration in the world opened to train administrators necessary for the Ottoman State. Opened by Murat I (1362-1389) in Edirne with the aim of training civil servants for the palace. The school mainly prepares high ranking administrators to carry out top functions of the State. Many grand viziers, viziers, generals, top administrators, scholars and artists received their education at Enderun. Until 1839 Enderun has served in Topkapi palace as a school that trained high ranking public administrators.

During Tanzimat Era, “Mekteb-i Mülkiye-i Şahane” (School of Palace Administration) was opened in Istanbul in 1859 with the aim of training public administrators. In 1918 its name was changed to “Mekteb-i Mülkiye”, and after the establishment of the Republic, its name, in conformity with Atatürk's wishes, was changed to Siyasal Bilgiler Okulu (School of Political Science); its education period increased to four years; and the School moved to Ankara to its present place at the beginning of the 1936-37 academic year. With the law of March 23, 1950, numbered 562, the name of the School yet again changed; this time being attached to the University of Ankara, its name became Siyasal Bilgiler Fakültesi (Faculty of Political Science). In Turkey, public administration was started to be studied as a separate science discipline apart from political science and law in 1953 with the establishment of Public Administration Institute of Turkey and Middle East (TODAIE) in Ankara. First platform (/chair) for public administration was opened in 1955 at the Faculty Political Science, Ankara University. With the Higher Education Law of 1981 and other legal regulations, faculties of economic and administrative sciences and faculties of political science were opened to provide 4-year education/training as independent divisions. In addition to this, in the departments of public administration major areas of study like social and political sciences, management sciences, urbanization and environmental problems, and law were opened. Today, independent departments of public administration in Turkey provide education next to the areas of specialization like business administration, politics, international relations and European Union affairs. (See, Eryilmaz 2007: pp. 20-21;

<http://www.politics.ankara.edu.tr/icerik.php?baslik=Genel>, 31 December 2007)



USAK YEARBOOK OF INTERNATIONAL POLITICS AND LAW

Volume 1

published by
International Strategic Research Organization (USAk)
2008

EUROPEAN UNION WITH TURKEY

THE POSSIBLE IMPACT OF
TURKEY'S MEMBERSHIP
ON THE EUROPEAN UNION

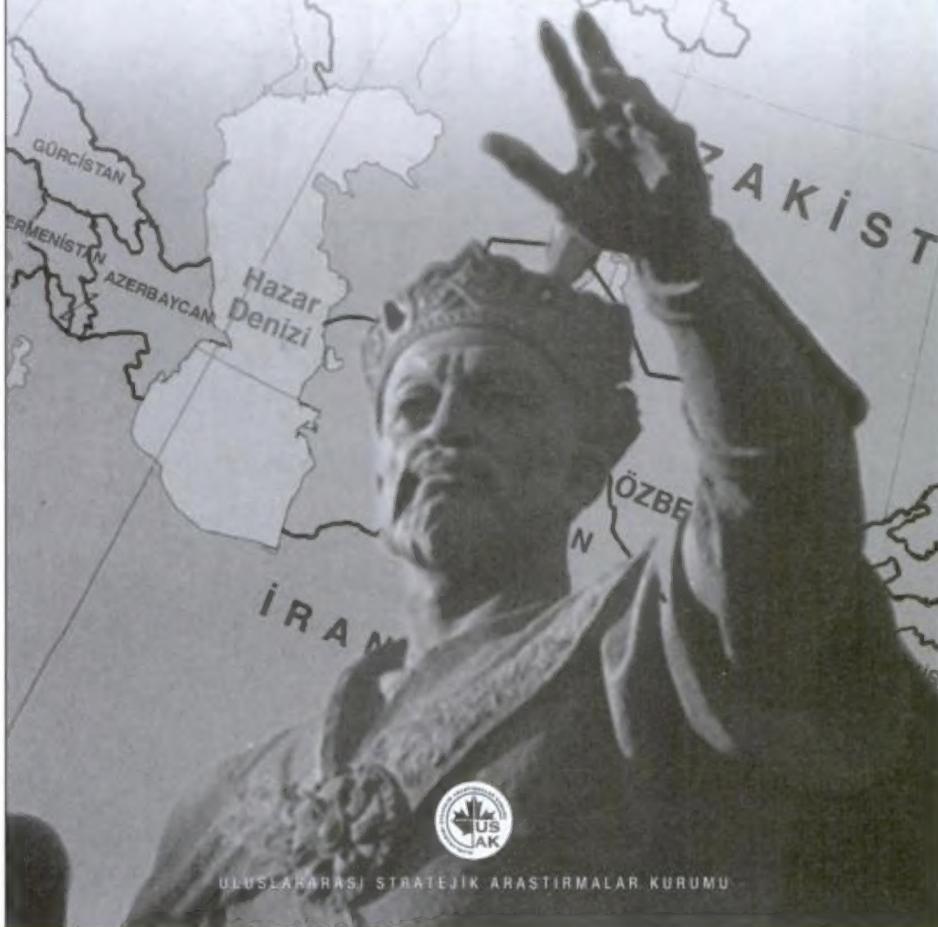
Sedat Laçiner, Mehmet Özcan and İhsan Bal



ORTA ASYA & KAFKASYA GÜÇ POLİTİKASI

M. Turgut Demirtepe

Derleyen





UHP
Cilt: 3 Sayı 12 (2007) / RILP Vol: 3 N° 12 (2007)

ULUSLARARASI HUKUK & POLİTİKA

Review of International Law & Politics



ULUSLARARASI STRATEJİK ARAŞTIRMALAR KURUMU YAYINIDIR

TURKISH PUBLIC ADMINISTRATION

From Tradition to the Modern Age

The scope of this study comprises of basic properties of the Turkish public administration system as well as recent legal regulations undertaken in this field. Main goal of the work is to present Turkish public administration system to a wide range of readers both at home and abroad. Therefore, based on introducing main features of Turkish public administration system to both students and practitioners, this work is prepared as a handbook to present the necessary knowledge in a pedagogic format written in simple and plain language. We consciously tried to include theoretical approaches in general public administration and Turkish public administration literature and contemporary academic debates. In short, we attempted to answer the question: "How is public administration in Turkey?" by presenting extensively the "extant" properties of the system in policy and practical terms.

